CASE ANALYSES

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CHAPTER 9

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In this chapter the researcher attempts to analyse few cases to highlight the challenges that the family of prisoners, particularly their spouse and children have to face as a result of their imprisonment. She also tries to project her perspectives on the role played by the surroundings in creating criminal behaviour in individuals.

The interaction of the researcher with the prisoners was allowed in a highly restricted manner and hence she could not fathom the full depth of the cases.

CASE 1

This is the case of a 46 year old person who was very hard working once and maintaining his family, consisting of wife, a son and two daughters, in good stead. He belonged to Vengalam, a suburb of Calicut. He was a God fearing Latin Catholic Christian. He managed to get work almost every day and according to him he got an average of Rs.80 per day. As a responsible father he took utmost interest and care to maintain the family. He loved his children and wife.
One problem with him was that he was addicted to alcohol. The drinking habit was started when he was young. Even after he became the bread winner of the family he continued in the habit and he never faced any objection from his wife to his irresponsible behaviour.

In July 1997, on the day of the criminal deed, he returned home dead drunk, and then there was none else than her elder daughter. Under the influence of alcohol, his animal instinct got released and he sexually assaulted his own daughter.

Two months later, his wife came to know about this dreaded and senseless act when her daughter showed symptoms of pregnancy. She filed a petition against him, with the police, with the support of the villagers.

In September 1997, he was arrested and charged with the offence of rape. He was on remand for 16 months.

His criminality was established before the court of laws and the it punished him for the maximum period, prescribed for the offence (7 years) and a fine of Rs.10,000 and sent to the Central Prison, Kannur.
The imprisonment was a point of crisis of the family. His son left the home even without leaving a note to anybody. It seems as a teenager he was shocked by the shameful act of his father and he could not stay in his place of birth.

After this incident (criminal act) his wife rifted from him and the imprisonment took the story to the climax. She deserted him forever with her children.

So became a worker of a coir yarn producing shed and earned Rs.25/- daily. She struggled during day and night to look after her two daughters and very boldly faced every problem, which come across, with the support of the villagers.

Now no body is interested in him. He has no information about his family. The only thing he knows is that his daughter was pregnant when he was arrested. To the society, in his own words, he is a ‘waste’. He is now remorseful about the horrendous incident that no father could even think of. He is trying to console himself by prayers.
The case amply explains how criminal deeds germinate and attain their monstrous nature. The influence of alcohol and the absence of all the family members instigated his libido. He had no intention to threaten the modesty of his own child. But circumstances took him into the wrong direction. The marital and family relationships are totally broken down. He took many months to adjust with the jail life and spent many months without sleep. The ordeals the person suffered are at everybody's guess.

**CASE 2**

Another case is the one of a 32 year old labourer hailing from Dindikal. He has no formal education and engaged in manual work and had been earning Rs.50 daily. His mother died when he was very young. Later his father married again, and he lived with her father and stepmother. His father arranged his marriage when he was 24. Now he has two children, a girl and a boy. His wife was also a daily wage earner.

He loved his wife very much and he was very much possessive of his wife. He could not even tolerate to see that his wife is talking with some one else. After the birth of his second child he began to doubt the
chastity of his wife. They frequently quarrelled on the parentage of his son too (second child).

On the day of the incident (1-9-91) severe quarrel between the husband and wife took place. Seeing the dangerous situation that is being cropped up, his brother-in-law (wife's brother) intervened in the issue. He got agitated further and took a knife and attempted to stab his wife. At that time his brother-in-law tried to save his sister. The prisoner said that he remembers up to the incident of drawing the knife and does not know what happened after that. When he regained his normal state of mind he saw the gory sight of his brother-in-law crawling in a pool of blood.

On hearing the roaring cry of his wife people around came to her rescue and police were called on. He was under remand for one year and a half. Later the court punished him for life term imprisonment and sent to Kannur Central Prison.

After coming to the prison he had to spent sleepless nights for a long time. His heart was, according to him, bleeding for the lost the sweet and loving company of his wife and children whom he loved very much.
The window on the world outside for him was his father. His father regularly corresponded with him from Dindikal. The family in Dindikal has been excommunicated by the neighbours and relatives. Another shocking information got from his father was that his wife is now residing with her sister’s husband with the two children. He is both in pains and contentment about. He is agonising on the fact that his loved ones are aliens to him now. At the same time he tries to console himself that they are under the protection of a person. He is optimistic that when he is released from the confinement he can take back his children and bring them up in a proper manner.

When we analyse this case we can see that the after effects of the imprisonment are the very same as those of the case discussed before. Only the actors are changing but the content and consequences remain the same. His family and married life are blazed out.

**CASE 3**

This case reveals misfortune of a lady who killed the children for fear of facing utter poverty due to they being deserted by her husband.
She is 28 and belongs to Nedumpuzha in Thrissur district. She is a member of a backward community hence her life since birth had been full of problems of various kinds. Her father passed away when she was only 5 months old. Her schooling stopped at the primary level. She has an elder brother who is crippled due to polio infection. Her second brother is elder to both her and the handicapped one. The family had been mooring on the strength of her eldest brother and mother. Her mother had been running a vegetable kiosk and her brother was a daily wage earner.

When she attained the age of twenty years she was married to a person (a manual labourer and an illiterate) who was 12 years older to her. All the formalities were satisfied in sending her away in marriage with him.

The initial period of their married life was very happy as he was earning good income and conscious to look after her. Her mother and brother also helped them in what all means possible. Eventually, the couple got two girl children.

When the elder child was three and the younger one one, to her surprise, she realised that her husband is gradually getting away from her for reasons best known to him. Very soon she and her children became deserted.
Even though, her mother and brother were very kind enough to her and highly supporting, she realised that life has become a miserable proposition. She did not want to over burden her relatives but at the same time she could not find any way out. Finally, she decided to end her life with her children. In a delirious state of mind she strangled her children using a cloth and killed them — a kind of mercy killing! She also attempted to kill herself by stabbing. But it was in vain. The incident happened on 15th March 1995.

She was admitted in the District Hospital, Thrissur. She was treated under police custody.

When she was discharged from the hospital she was put under remand for six months. The final verdict of the court came sentencing her for life imprisonment. She was put in Central Prison, Thrissur.

She is frequently visited by her brother and rarely by her mother. She receives letters regularly from her mother. Though she has the moral support of her family she is now a mental wreck. She becomes restless
whenever she talk of her children who met their end by the women who gave them birth and later food and love.

The case shows the influence of extraneous factors on a pious woman for committing a heinous crime. Her everything is shattered as a result of the criminal behaviour and consequent imprisonment for life. She lost her company of her beloved mother, brothers and all the more the two innocent children. All these were triggered by a selfish act of her husband.

**CASE 4**

Another case analysed in depth was that of a couple both of whom were accused for murder and later sentenced for life imprisonment. Both of them are now in Kannur male and female prisons respectively. The significance of the case is that the young girl child of the couple who is nearly five years of age is also growing up in the female prison as there is no one to take care of her.

The husband is thirty-two and wife is twenty eight. The husband belongs to Thikkodi in Kozhikode District. He belongs to a backward Hindu community. His schooling was stopped at the primary level
and started working in the small hotel run by his family consisting of father, mother and a brother.

He got married at the age of twenty four and his wife also joined in their hotel business. As he has to look after a family the responsibility of their hotel business was given to them and other members turned to be supporters of it. In due course of time he became the father of three children – one boy and two girls. The return from the hotel was hardly sufficient to support the subsistence of the eight-member family. In the mean time he became slightly alcoholic though not addicted to drinks.

To keep running the hotel he borrowed money from every possible source and debt mounted up. He revealed to the researcher that the only alternative before the family was to bid fare well from the world for ever.

All the members except the little ones joined in a suicide pact and decided to end their existence by poisoning themselves including the children. On 18th December, 1990 all of them except their youngest child (daughter) were given poisoned food by them (the prisoner couple). The couple’s elder daughter died immediately. All others including their son were hospitalised and they recovered gradually. The prisoner explained to the
researcher the reason for their abstention from the pact. According to him the others were given the food first and immediately they showed the symptoms of struggling with death. This prevented them from poisoning their little daughter and themselves.

The couple were arrested and charged with the offence of murder. For 38 days they were under remand and then the court verdict came sentencing them for life imprisonment. Both of them were confined in Central Prison Kannur with their infant daughter. The wife and child were put in the women’s prison.

The calamity of the family did not end there. Their son committed suicide later by taking poison. The father passed away in 1993. The prisoner’s mother is now with his brother. His brother frequently visits him and hence he has clear information about the happenings in the family and neighbouring community. The family is now living in a social vacuum as a result of the whole episode of suicide attempt and criminal case and punishment.

In the female prison their daughter is growing innocently appreciating all the wonders of nature around her and the people’s love and
affection showered on her. But the big question before the imprisoned parents is that on their child attaining the age of five what they have to do. At the age of five, according to the prison rules, the child is to be separated from her mother. She is to be taken care of by some relatives or else she is to be sent to the juvenile home. According to the prisoner, it is too much to expect help from his brother in this regard. So she is to be sent to the juvenile home. Now the prisoner gets occasional permission to see his wife and child at the female prison. It is a pin pricking thought for both the husband and wife that very soon their child will be taken away from them.

This case too is demonstrative of the way in which social relationships intimate and loose, are shattered by criminal behaviour and imprisonment. Husband – wife relationship, the smaller and wider family relationships and the social links to the wider society of the group are broken and shattered in this case.

**Case 5**

Another case reveals still further profiles of the after effects of crime and punishment. The prisoner in this case is a 28 year old youth. He
belongs to Coimbatore. He is an illiterate and a manual labourer. He earns on an average of Rs80/- a day.

His family consists of wife two small children, father, brother and mother. His father is also a daily wage earner. His mother and wife manage the household. When the prisoner was sentenced his brother was not at the earning age. Now, in fact he is the sole supporter of the family.

The prisoner had the hobby of taking drinks though he was not an addict to it. However, his need for money was unmet by his income and he turned to petty thefts which were gone unnoticed by the victims and no police action was taken against him.

In August 1998 the prisoner resorted to breaking open a house in Palakkad and stealing gold ornaments and Rs.4000/- from there. He was caught hold by the police and brought before law. Seven years imprisonment was awarded for him and sent to Central Prison, Kannur. The prisoner narrated the distress that he had undergone during the initial period and those were the same highlighted by others. Sleeplessness, aversion to food, unexplainable anxiety etc.
The problems faced by the family are more heart burning. The family has to transfer it's burden of maintenance to the second son who was not then strong enough to bear it. The father became shocked and disinterested in his work and domestic duties. The prisoner's wife, an young woman, having two small kids could not attend to anything else other than looking after the little ones. She is totally disturbed by the imprisonment of her young husband. The mother who is in her sixties is the guide and guardian of the family now. Any one can guess the economic problems that the family facing.

To avoid the sheer shame of the crime the family has propagated that the son has gone away in search of remunerative work.

The mother is a frequent visitor to him. She undergoes a lot of ordeals to travel all the way from Coimbatore to Kannur, that too alone. The researcher had an occasion to meet her and had an almost one hour friendly talk. On the day it was only 1 pm – one more hour still remaining to get permission to visit the prisoners. The mother was waiting in front of the jail, under the shades. She was too weak. However, she seemed to be interested to disclose the mental agony which she had been undergoing, to someone for getting herself relaxed a bit. She described the whole hardships of the family.
meted out after the incident. The family is now in utter poverty. They are struggling to conceal the matter of imprisonment from the community. The deplorable state of her daughter-in-law who is facing economic, emotional and social crisis was stunningly portrayed by the mother. Finally, in tears the old mother highlighted that, “those mothers are blessed who have not given birth to a child for she can live and die in peace”. The pain she has been suffering from prompted her to utter these words of curse.

It is hoped that these cases analysed amply demonstrate the consequences of imprisonment faced by the spouse, the family and the wider society. It is believed that overtly and covertly the society supplies the back up potential for the criminality of individuals.