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Eunuchs And Crime

The common perception about eunuchs is that they forcefully carry away eunuch children from their biological parents, as well as kidnap normal children and turn them into eunuchs by cutting off their genitals. However, contrary to regular belief, eunuchs never take away a child by force, despite its being a eunuch. It seems that many families simply hand over their abnormal children to avoid humiliation. Due to their visibility, it is very easy to perceive them as hookers or extortionists. We tend to club them with the few tribal communities who survive, earn money from and often thrive on criminal activities.

Is there any truth in this assumption or is it a belief born out of our misconception and bias against this victimised community? Four judges of the High Court and four from lower courts in Mumbai, Lucknow, Delhi and Allahabad were queried to ascertain the truth. The following are excerpts from the author's conversation with the judges:

Query Your honour, please comment about eunuchs and crime.

Reply They are an unwanted and uncomfortable presence. They always barge in uninvited and harass people at the time of festivities or inopportune moments.

- Query** But Sir, is it a crime/offence or a nuisance?
- Reply** No comment.
- Query** Then Sir, we may call it a nuisance. However, that is their only source of earning.
- Reply** But why should they harass unsuspecting people like that?
- Query** To earn money of course, Sir but wouldn't you agree that they do so peacefully? If you shut your door, they generally go away. They may call out loudly but they never cause damage to person or property or cross the threshold.
- Reply** But they should not behave in such a manner that may cause distress to the public.
- Query** Your Honour, let me pose a specific query regarding their involvement in crime. How many cases involving eunuchs have been tried in your court under the provisions of the Indian Penal Code?
- Reply** (Ponders to think) I remember one of my friends telling me about the trial of a eunuch in his friend's court 25 years ago under Section 323 of the IPC (non cognisable).
- Query** No Sir, I am referring specifically to your court.
- Reply** I can recall none.
- Query** Now Sir, can you recollect cases involving eunuchs anywhere in India?
- Reply** I have only heard of minor offences, mostly of a non-cognisable nature, where eunuchs were inadvertently involved. However, I have never witnessed their involvement in any major offence.
- Author** Thank you, your lordship!

Similar replies from all eight judges, who were interviewed, indicate that eunuchs are generally not involved in serious crimes. It is our bias and unsympathetic attitude rooted in ignorance that is the basis of our misconception of eunuchs as criminals.

On asking eunuchs about their involvement in kidnapping, abduction and forced castration of boys for conversion to their kind, they exclaimed that they had nothing to do with such offences. God-fearing and law abiding citizens, the conviction rate of eunuchs makes them appear above board.

When reports of forced castration are investigated further, most of them prove to be nothing more than rumours and quite baseless.

Eunuch Deviants

Exceptions serve to prove the rule. In the darkness of night, on many streets, state and national highways, one can see eunuchs standing like lamp posts, wearing shiny dresses. Some truck driver or passerby halts near them to satisfy his lust but occasionally, eunuchs also take advantage of the situation and relieve them of their cash and valuables. Rarely, this may even result in the poor man's death, especially if the 'customer' retaliates, as in the case of truck driver Akhilesh Kumar.

The Mumbai Mirror (Monday, July 20, 2009, p11), a popular tabloid belonging to the "Times of India" group, carried a headline, "Eunuch who killed truck driver arrested". The gist of the case is as follows:

On June 1st, the police found the dead body of a truck driver in Nala Sopara (East) on the Western Express Highway near Pelhargaon, Thane Dist., Maharashtra. The dead body found in the sitting posture behind the steering wheel did invoke suspense and mystery. Seeing no movement of the driver, a nearby *dhaba* owner informed the police. On 8th July, a eunuch named Pooja got arrested. Working as a prostitute, Pooja provided the necessary release to night halting truck drivers and other passersby at the location.

On the fateful day, driver Akhilesh Kumar Yadav engaged Pooja for her services but paid less than the agreed amount after the act. Losing her temper she called another eunuch Mona and her friend Mushtaq. All the three argued with Akhilesh, managed to grab his wallet and took out the short paid amount. On Akhilesh's protesting vehemently, they picked up a towel lying nearby and suffocated him to death.

After getting hint of the police manhunt, Mona and Mushtaq managed to escape but Pooja was arrested. Pooja's future is dark, as are those of Mona and Mushtaq, despite the fact that they were only seeking self-justice, within their framework of belief and knowledge.

Eunuchs criticise fellow-beings like Pooja. "Because of such people, we earn notoriety as criminals", they say.

A fairly common mild form of extortion practised by some eunuchs, which goes largely unreported, is their

harassment of 'lovebirds' and couples, who are looking for solitude along seafronts, parks, gardens, love-lanes etc. Eunuchs accost such couples and brazenly demand money from them in order to leave them in peace. They create raucous scenes and the implicit threat of being 'discovered' forces the couples to meet the demands of these eunuchs.

Incarceration of Eunuchs

Eunuchs are interrogated by women police officials and are spared the 'third degree' methods that are occasionally used while interrogating habitual male offenders.

Being overcrowded as they are, our prisons have no separate provision for housing eunuch inmates. In prison, eunuchs are always kept in the women's section. It has been observed that eunuchs tend to assimilate well with women prisoners and do not cause any problems, since they easily identify themselves with females.

Housing eunuchs along with male prisoners would subject eunuchs to physical and psychological abuse by the males, who are deprived of sexual contact during their stay in prison. This makes them very violent and prone to raping any eunuchs who may be housed with them.

Also, for the most part, eunuch offenders are as seen above, few and far in between and mostly involved in petty, non-violent offences that do not merit severe punishment.

Crimes Against Eunuchs

In contrast to eunuchs committing crimes, there are many more instances of the same being committed against them.

Eunuchs face molestation, physical harassment and even gang rape. For fear of humiliation by society and unwanted adverse publicity, they avoid reporting these crimes to the police, nor do they even confide in their community. If reported, the police rarely accept their cases, showing that they are least bothered about eunuchs.



Meeting Nargis Bano and Naina, who have borne the brunt of the brutality of our so-called 'civilised' society, can prove to be an eye opener. Recounting their horrific experiences here will make us aware of extent of cruelty and inhumanity meted out to them.

Nargis Bano

Nargis Bano, a eunuch, was just 21 years old, when she was gang raped by some antisocial elements.

A beautician by profession, she was on her way home from Sion, Mumbai one night. Getting down at Kurla railway station around 11.00 pm, she walked by the side of the tracks, which is deserted at that time of the night.

Hardly had she walked a few yards, when out of nowhere, three young boys, aged around 18-22 years, surrounded her with malevolent intentions. The boys caught hold of Nargis, who started shouting for help.

Nargis desperately looked around but found nobody. She hit one of the boys in the groin and bit the wrist of another. However, she was hit on her forehead and knocked down. All the boys raped her for over an hour, taking turns. After the gang rape, they whipped out a knife and threatened to finish her off. Suddenly, the men heard the footsteps of 3-4 persons approaching them. Afraid of getting caught, they vanished in the dark.

Nargis staggered back to the railway station and sat on a bench, trying to stem the bleeding caused by the rape. Thanking *Allah* for saving her life despite losing her honour, she went to the Kurla Railway police station. There, she explained the incident to the constable on duty, who rubbished her claim and loudly exclaimed, "Get lost! All you eunuchs have the same sad story. What were you doing on the railway tracks so late at night? You must have gone there to solicit clients or rob some unsuspecting passer-by and make it out to be a case of molestation and rape. Come back tomorrow morning. *Bada Saheb* (Inspector) will be here then and will take down your complaint." Finding herself helpless, Nargis went home. Preferring not to disclose the morbid event, she also avoided going back to the police station. This would not only start gossip among the neighbours but also affect her elder sister's wedding, if people came to know of her rape.

Naina

Naina, a 15 year old native of a remote village in Medak, Andhra Pradesh, lives in Virar, a distant suburb in the Thane district of Maharashtra. She earns a livelihood by begging. Naina's parents were destitute and she had to struggle to earn a living. Finally, she came to Mumbai and joined a group of eunuchs in Virar. She earns about Rs 200 – 300 daily, from which she sends Rs 1,000 to her village every month.

One evening, she was returning to her *guru's* home. On her way, she was accosted by a couple of familiar people, who informed her that a certain Mr. Salim in the construction business wished to see her in his office. "Boss wants to give something to your *guru*. Please accompany us and collect the gifts" they said.

Since the office was on the way to her house, Naina went along with them, not suspecting any mischief. However, upon entering the office, she was shocked to find three persons sitting inside, dressed only in their undergarments. All of them were totally drunk and eyed her lustfully. They offered her Rs 500 for sexual favours. Realising their intention, Naina tried to escape. However, the two persons who were waiting outside the door caught hold of her and dragged her back inside.

Inside the office, they ripped off her clothes. Ignoring her cries for mercy, the five of them raped Naina eight times. After the drunken group was finished with her, they let her go saying, "Don't tell anyone about this incident or be prepared for the consequences."

Naina was bleeding profusely from her anus and started crying. She somehow managed to drag herself back to the house. Although nobody had witnessed the incident, they could sense that something was terribly wrong. *Guru* Saira took her to a nearby hospital in Virar. Throughout the night, the doctor tried in vain to stop her bleeding. The blood loss had made her very weak and Naina lay unconscious for 5 days. Finally, the doctor in charge suggested shifting her to the comparatively better equipped Bhagavati Municipal Hospital, Borivli (West), Mumbai. Upon regaining consciousness, Naina told the *guru* about everything that had happened to her that night and the criminals involved.

A police complaint was lodged against the five persons involved in the outrage. Saira banded some of the local people and a large group of eunuchs together and marching to the builder's office, ripped it apart. However, even after a week, when no progress was made in the investigation, Saira took the police to task for their slow progress in the matter. She brought pressure from different quarters to bear upon the concerned authorities and forced them to speed up the investigation. Finally, the police arrested three culprits, who were later released on bail. Now Naina lives a silent life with a bruised memory, the fear of death still present in her eyes.