



NECROPHILIA: DEFILING THE DIGNITY OF THE DEAD: AN ANALYSIS FROM LEGAL PERSPECTIVE

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ABSTRACT

“People have different attractions. Mine just happens to be corpses.” — Hayden¹

The fantasy regarding corpses have often influenced the prominent works of literature in one way or another such as in Romeo and Juliet by Shakespeare when Juliet kissed Romeo’s dead body in the name of eternal love to the sleeping beauty, a fairy tale with a hidden dark tragedy as a backdrop.² These sexual fetishes and fantasies regarding corpses are predominant in the real world too and are termed as “necrophilia,” a psychosexual disorder. Necrophilia is a centuries-old concept but it still has its roots embedded in the world of law and order where the rights such as the right to life and liberty prevail. The offence of Necrophilia is criminalized in various countries across the world but no such legislation or precedents exists in the context of India. Moreover, the rights of the dead are only pertinent in its limited aspect. The research paper delves deep into the current legal status of Necrophilia in India while exploring its history, causes and classification.

Keywords: Necrophilia, psychosexual disorder, paraphilia, law, sexually abuse and criminalization

¹ Daniel Obuster, *The Little Death: Living and Loving as a Necrophiliac*, VICE (April 13, 2025), <https://www.vice.com/en/article/yvxem5/the-little-death-living-and-loving-as-a-necrophiliac-511>.

² Ashley Jellison, *Necrophilia in ancient and Modern Times*, OUT FRONT. (April 13, 2025) <https://www.outfrontmagazine.com/necrophilia-ancient-modern-times/>.

RESEARCH METHODOLOGY

The research paper is based on non-empirical research and is descriptive in nature. It offers a thorough critique of the legal loopholes regarding necrophilia by delving deep into the existing provisions of Indian Penal Code, 1860, primarily, section 297 (section 301 of Bhartiya Nyaya Sanhita, 2023) and analysing multiple cases. Secondary sources such as newspaper reports, legal articles, research papers, encyclopaedias and books have been utilized by the author. Other



foreign legislations have also been studied to provide a comparative study of laws across the world.

RESEARCH QUESTIONS

1. What is Necrophilia and how it prevailed since ancient times?
2. What is the difference between Sexual Homicide and Necrophilia?
3. What the Causes of Necrophilia and its classifications?
4. What are the Legal Provisions in India and their Applicability?
5. What is the legal status of Necrophilia in other countries?

RESEARCH OBJECTIVE

1. To have an overview of Necrophilia and its origin and prevalence in ancient times.
2. To understand the causes and classifications of Necrophilia
3. To know about the existing provision in India and their extent of Applicability.
4. To make a comparative analysis about the legal status of Necrophilia in other countries.
5. To emphasise upon the prospective loopholes in the current law and the need to bring the amendments for criminalizing such a heinous offence.

REVIEW OF LITERATURE

The author has been able to understand the concept of Necrophilia by thorough study from the books and journals written by the researchers and professionals. Books such Forensic and Medicolegal Aspects of Sexual Crimes and Unusual Sexual Practices by Dr Anil Aggarwal and Homicide by Wayne Petherick, Natasha Petherick played an important role in comprehending the psychology, causes as well as classification of necrophiliacs.

INTRODUCTION

Necrophilia is a rare paraphilia in which humans are erotically attracted to corpses.³ Paraphilia refers to disorders related to deviant sexual preferences evidently observed in males. Like other paraphilias, necrophilia is also exclusively observed in males. It is made up of Greek Words clubbed together whereby Nekros or necro means “the dead” and philios or philia means “love.”⁴ It is also called necrolagnia, necrochelsis, necrophilism and thanatophilia.



Such a person who indulges in sexual intercourse with dead bodies or corpses is known as a “Necrophiliac.” Necrophiliacs live like normal human beings and often choose a profession such as mortuary attendants that allows them free access to their love object. Abraham A. Brill in 1994 stated that necrophiliacs were psychotic, mentally deficient, and incapable of finding a consenting partner. Necrophiliacs are often haunted by twisted fantasies which when triggered lead to the commission of this horrendous act. Since the act is often done inconspicuously by digging dead bodies from graves, there is a dearth in the number of reported or documented cases.

In the past few years, India has observed a spike in the number of cases of Necrophilia, however, owing to the prospective loopholes in the Indian Penal Code (now, The Bhartiya Nyaya Sanhita), the necrophiliac or the “wrongdoer” is often left unpunished. Though sections 375 and 376 IPC (sections 63 and 64 BNS respectively) deal with the non-consensual sexual activities committed by a man, there is no provision of the code explicitly criminalizing “Necrophilia” i.e., non-consensual sexual activities against a dead person. Old criminal law did not contain any explicit provision to criminalize sexual offence against dead bodies nor the newly passed criminal law criminalise this heinous crime against dead bodies. Nonetheless, it is one of the most gruesome crimes observed across the world and thereby, the objective of this paper is to emphasise upon the prospective loopholes in the current law and the need to bring the amendments for criminalizing such a heinous offence.

³ Brenda Love, *The encyclopedia of unusual sex practices* 176-177 (Barricade Books, Fort Lee, New Jersey 1994).

⁴ Wayne Patherick and Natasha Petherick, *Homicide* (Academic Press, 2019).

HISTORY

Necrophilia can be traced back to centuries ago. As a matter of fact, Greek historian Herodotus, while writing about ancient Egypt in his book *Historians*, stated that there was a culture in which the dead bodies of noble ladies were not immediately given to the embalmers, particularly of those who were extremely attractive and drew a lot of attention for their beauty while they were alive. These measures were taken out of concern that the embalmers would have mistreated the corpse. Thereby to avoid such sexual violation at the hands of embalmers, their dead bodies were given after being rotted three to four days after the death.⁵



Not only that, even Hittite law from the 16th century BC through to the 13th century BC explicitly permitted sex with the dead. Surprisingly one such instance was also prevalent in Indian customs. Earlier, there existed a necrophilic tradition whereby on the demise of a virgin fiancée, before the burial, the man was to have sexual intercourse with his fiancée's dead body and deflower her in front of a priest.⁶

Moreover, soldiers returning from wars were often accused of necrophilia. The conquering soldiers on the battlefield reportedly indulged in the performance of pederasty on their dead or dying victims to feel the anal spasms that happened just before death. Russo-Turkish War and the 1919–1926 Moroccan campaigns are examples of the same.⁷

As far as the term “Necrophilia” is concerned, it was first mentioned by Joseph Guislain, a Belgian psychiatrist in 1850; In 1827, a Frenchman named Leger mutilated the genitals of a young girl and drank her blood after necrophilia. One of the most famous necrophiles was Sergeant François Bertrand, a sergeant in the French army, who during the years 1847–1849 dug up corpses, to have sex with them. It was Bertrand's case that prompted the Belgian Psychiatrist Joseph Guislain to come up with the term necrophilia; However, it was Richard von Krafft-Ebing who in 1894 for the first time used the term “necrophilia” called it a “horrible manifestation of sadism”.⁸

⁵ Robert E. L Masters, *Perverse Crimes in History* 174 (The Julian Press 1st ed. 1963).

⁶ *Id.*

⁷ Robert E. L Masters, *Perverse Crimes in History* 113,204 (The Julian Press 1st ed. 1963).

⁸ Ashley Jellison, *Necrophilia in ancient and Modern Times*, *OUT FRONT*. (April 12, 2025) <https://www.outfrontmagazine.com/necrophilia-ancient-modern-times/>.

SEXUAL HOMICIDE AND NECROPHILIA

Sexual homicide and Necrophilia though in contrast to each other are often used in correlation. Hence, before delving further, it becomes imperative for us to draw a line of distinction between these two concepts. In Necrophilia, a psychosexual disorder, the necrophiliac derives satisfaction from defiling the dead bodies. In contrast, sexual homicides are often committed to escape the punishment after the commission of non-consensual sexual activities (rape). Precisely, a victim of sexual homicide has been sexually violated or raped while they were



alive and then killed afterwards to destroy the evidence. On the other hand, necrophilic activities are performed on a person who is already dead (or in short, on corpses).

CAUSES OF NECROPHILIA

Necrophilia is a disorder which stimulates the person's attraction towards the dead body. There are various reasons attributed towards such stimulation. Some of the reasons are as follows:

- ***Fear of rejection and power dynamics-*** Necrophilia may also involve a desire for complete control and dominance over a passive and non-consenting partner. The necrophiliacs are often dreaded by the concept of rejection by the other party no matter whether the rejection is attributed to sexual intercourse or romantic relationships. They view a dead body as an object devoid of any control since corpses are incapable of rejecting or disagreeing or manipulating, it gives them the sense of being dominant. This stimulates the desire within necrophiliacs. They find dead bodies satisfying their low self-esteem needs and a partner who will not get tired of them easily.⁹

⁹ Jonathan Rosman and Philip Resnick, "Sexual Attraction to Corpses: A Psychiatric Review of Necrophilia" 17.2 *The Bulletin of the American Academy of Psychiatry and the Law* 153-163 (1984).

- ***Psychological reasons-*** Individuals suffering from disorders such as sexual sadism, and antisocial personality disorder (sociopathy) including the incapability to empathize or experience remorse are more prone to necrophilic behaviours. Moreover, the extreme denial by a person to accept the death of their spouse or a lover often leads to unhealthy obsession such as the living party continuing to engage in sexual activities with the dead body of their other half. Not only that, in certain cases, psychological theories suggest that necrophilic behavioural tendencies are also attributed to the unconsciously suppressed hostility towards parental figures or sadistic thoughts of exploring the mother's body. The offender takes revenge on a 'female figure' (the dead female, symbolizing mother or spouse), by ravishing her"¹⁰

CLASSIFICATION OF NECROPHILIA

A necrophiliac who has a strong desire to have sexual intercourse with a corpse instead of committing murder might just dig up the ground to get a corpse and then fulfil his desires. On



the other hand, a necrophiliac might kill the victim to obtain the corpse and then sexually violate her body. Similarly, in some instances, a person might after committing homicide take advantage and rape the dead body. This leads to the first attempt at the classification of Necrophilia in 1989 by Jonathan Rosman and Philip Resnick.

The bifurcation is as follows:

1. **Genuine Necrophilia**- It includes persistent sexual attraction to corpses. It is further segregated into three groups- Necrophilia homicide whereby necrophiliacs commit homicide to obtain the corpses; Regular Necrophilia whereby they use already dead corpses; and Necrophilic Fantasy whereby they fantasized about sexual activities with the corpse but do not actually commit any such act towards fulfilment of these fetishes.¹¹

¹⁰ Anil Aggrawal, *Forensic and Medicolegal Aspects of Sexual Crimes and Unusual Sexual Practices* 370 (CRC Press, 2008)

¹¹ Jonathan Rosman and Philip Resnick, "Sexual Attraction to Corpses: A Psychiatric Review of Necrophilia" 17.2 *The Bulletin of the American Academy of Psychiatry and the Law* 153-163 (1984).

2. **Pseudo Necrophilia**- It includes temporary attraction towards corpses but eventually the human being prefers to indulge in sexual activities with a living person only.¹²

Apart from the above classifications, Dr Anil Aggarwal in his book *Forensic and Medicolegal Aspects of Sexual Crimes and Unusual Sexual Practices* also lists nine classes of Necrophiliacs including Role Players, Romantic Necrophiliacs, Homicidal Necrophiliacs, Opportunistic Necrophiliacs and so on¹³. Amongst all the classes, homicidal Necrophiliacs are referred to as the peril to society. In order to fulfill their desire to have sexual intercourse with a dead body, they are well known to kill the victim and then sexually abuse their corpse. Serial Killers are often associated with Homicidal Necrophiliacs. The classification of Necrophilia by Rosman and Resnick and Dr Anil Aggarwal has been a great boon in the research field.

LEGAL PROVISIONS IN INDIA AND THEIR APPLICABILITY



Regardless of the fact that there is no provision explicitly criminalizing this heinous act in India, some legal provisions are to be taken into cognizance to understand the loopholes in the prevailing law of the country.

Section 297 IPC (Section 301 BNS): Trespassing on burial places, etc ¹⁴

This section does not specifically deal with any necrophilic activity. Still, it does cover in its ambit the trespass in the place of worship or burial grounds with the intention or knowledge to hurt the sentiments of any person or insult the person's religion by disturbing the performance of funeral rites of any person or offering indignity to a human corpse.¹⁵ This section is often

¹² *Id.*

¹³ Anil Aggrawal, *Forensic and Medicolegal Aspects of Sexual Crimes and Unusual Sexual Practices* (CRC Press, 2008)

¹⁴ The Indian Penal Code, 1860 Act No. 45 of 1860, s. 297, The Bhartiya Nyaya Sanhita, 2023 Act No. 45 of 2023, s. 301.

¹⁵ *Id.*

deliberated upon as far as necrophilia's legal stance is concerned as it has the full potential to inculcate the offence within the wider interpretation; however, it cannot be applied unless there is any trespass to the burial grounds with the intention to insult the religion or hurt the sentiments. Moreover, as stated above, necrophiliac does not only attack corpses dug from burial grounds. In other instances, such as when a person is killed and then sexually abused, the necrophiliac cannot be punished under the ambit of this section. For this section to be applied against this offence, the legislature must bring an amendment.

Section 377 IPC: Unnatural offences¹⁶ (Entirely Repealed)

Moving further, this section contains provisions for penalising unnatural offences. Unnatural offences are those offences whereby a person voluntarily engages in carnal intercourse against the ordinary course of nature between man, woman and animal.¹⁷ Though a necrophilic activity i.e., sexual intercourse with a corpse can be integrated into this definition. However, as of now, this definition of unnatural offences does not explicitly include carnal intercourse between the man and the dead body due to which a necrophiliac is often left unpunished thereby serving as a loophole in Indian criminal law. This provision has been repealed in the new criminal law i.e. The Bhartiya Nyaya Sanhita, 2023.



Similarly, other sections such as Section 375 IPC (Section 63 BNS) which defines rape and Section 376 IPC (Section 64 BNS) which penalise the offence and provide for severe punishments in certain circumstances in their definition are not inclusive of non-consensual sexual activity against a dead body. Rather, they emphasize the commitment of such an offence against a human or a living being. The lawmakers, if intended, could have made necrophilia an offence under any of the sections mentioned above of the Indian Penal Code. However, such a sight as of now is absent. Recently, the Karnataka High Court while raising its concern over no clear provision on Necrophilia to punish the wrongdoer for his barbarity urges the Central government to provide for a clear legal stance.

¹⁶ The Indian Penal Code, 1860 Act No. 45 of 1860, s. 377.

¹⁷ *Id.*

CASE ANALYSIS

The following judicial rulings in certain cases will further help us to perceive the legal status of necrophilia and the barbarity of the necrophiliac reflecting on the urgent need for the incorporation of necrophilia as an offence.

A horrific tale of Nithari Serial Killings (2006)¹⁸

Famously known as Nithari Serial Killings, this case of Necrophilia shook the whole country. Due to the brutal and horrendous nature of the act, it gained a lot of traction in the media. To begin with, In December 2006, a report of a missing girl was filed after she disappeared from the accused's Moninder Singh Pandher bungalow. Following that many skulls and bones of the children who were earlier reported to be missing from the Nithari village were discovered in the drainage behind the accused's bungalow, leading to the arrest of the accused and his servant Surrender Koli. During the investigation, police found abundant pornographic material in the house related to women and children such as magazines etc. In March 2007, the servant confessed to the crime. It was discovered that the accused and his servant were involved in the murder, kidnapping, cannibalism, slaughtering, necrophilia and bestiality. The majority of the victims constitute girls. They used to murder the victim, then sexually abuse the body and afterwards cut the flesh into smaller pieces, cooked that flesh and consumed it. They discard the rest of the body parts in the drainage. His confession led to the conviction of both master and servant. They were awarded a death sentence.



Palghar Case (2020)¹⁹

In July 2020, during the coronavirus outbreak, a heart-wrenching case came to the limelight whereby a 30-year-old shopkeeper brutally killed a woman after an altercation over the price of certain goods. He allegedly slapped the woman, dragged her body to the back of his shop, strangled her and then slit her throat. The post-mortem report shockingly revealed that the

¹⁸ Surendra Koli v. State of U.P. (2011) 4 SCC 80

¹⁹ “Palghar stunned by Necrophilia, a man raped woman’s corpse” *The Tribune*, (April 20, 2025) <https://www.tribuneindia.com/news/nation/palghar-stunned-by-necrophilia-a-man-raped-womans-corpse-108480>

married woman was raped after being murdered. The accused, Shiva Chaudhary on being arrested confessed that he killed the woman and afterwards sexually assaulted her dead body before putting it in his van and dumping it some half a kilometre away from the shop. The accused had no acquaintance nearby as he lived separately from his family due to business.

A Bizarre Case on Necrophilia (2023)²⁰

In the research done throughout the world, Necrophilia is termed to be exclusively present in males. However, no such thing has been said regarding the victim. This case is the prime example that a victim, as well as a perpetrator, can be a male. It clearly debunks any presumption that necrophilia only involves “female” as the victim. In this case, a “psycho killer” identified as Pervinder was arrested. The accused strangled the man that is the victim to death, chopped his arms and legs and then raped the dead body.

Karnataka Case on Necrophilia (2023)

This recent case of Rangaraju Vajapeyi v State of Karnataka has fuelled the ongoing debate over Necrophilia and its position in Indian Law. In 2015, a 21-year-old girl on her way home was brutally dragged by the accused (Ragranjan) to a nearby bush where he killed her after slitting her throat and then raped her dead body. The lower court charged the accused with murder and rape under sections 302 and 376 respectively. Consequently, an appeal was filed by the accused against the decision of the lower court. While maintaining the charge under Section 302, the high court acquitted Ragranjan from the charge of rape under Section 376.²¹



It was opined by the court that one has to take into cognizance that a dead body cannot be called a human being or a person. Moreover, the court's interpretation suggested that the offence of Necrophilia has the full potential to be inculcated under Section 297 which pertains to offering indignity to the human dead body by trespassing. However, this case could not be under the ambit of this section. Subsequently, owing to the absence of any provision in IPC which expressly penalise the rape of a dead body, the accused was not punished for "Necrophilia"²²

²⁰ "Delhi: Bizarre case of necrophilia comes to light, suspect nabbed" *The Indian Express*, (April 25, 2025) <https://www.newindianexpress.com/cities/delhi/2023/mar/25/delhi-bizarre-case-of-necrophilia-comes-to-light-suspect-nabbed-2559382.html>

²¹ *Rangaraju Vajapeyi v State of Karnataka*, (2023) SCC OnLine Kar 23

²² *Id.*

The above judgment is the reflection of the present scenario of the grotesque crime of Necrophilia in Indian Criminal Law. Due to such ignorance of the lawmakers, the wrongdoer's acts of such bestiality, barbarity and savageness are left unpunished and even giving him a way out after the commission of such activities.

CONSTITUTIONAL RIGHTS OF THE DEAD

Corpses are not an alien subject. They are humans in their entirety. After being cremated, they cannot be treated as discarded objects and let be violated at the hand of beasts. Though there is no provision for the criminalization of Necrophilia, the Indian Constitution provides for the right to die with dignity.²³ The Supreme Court in its landmark judgment of *Parmanand Katara v Union of India*²⁴, opined that the Constitution of India not only recognises the right to live with dignity but also envisages within the ambit of Article 21, the right to die with dignity. The Apex Court held that the word 'person' is not confined to an alive person and can also include a dead person in some exceptional cases.²⁵ The Supreme Court recognized that Article 21 guarantees the right to life, fair treatment, and dignity, extending these rights not only to the living but also to the dead.

Hence, the right to life, privacy and dignity which is integral to the living person extends to a dead person. This interpretation of Article 21 leads to the inference that the dignity of a dead person is to be respected and that the dead person should be given proper cremation according to their religious customs ensuring them a decent burial.²⁶ In "*Ashray Adhikar Ahiyan v.*



Union Of India, “the High Court laid down the “importance of respect for the dead body, ruling that shelter less persons are entitled to be cremated in proper and religious manners by their respective religious institutions.”²⁷ Furthermore, the Allahabad high court in *Ramji Singh and Mujeeb Bhai v. State of U.P. & Ors*²⁸, reiterated that the corpse should be treated with respect equivalent to what he or she received throughout life and in order to preserve the dignity of the dead, unnecessary post-mortem of the body should not take place. Lastly, Justice S.

²³ *Maneka Gandhi v. Union of India*, (1978) AIR 597

²⁴ (1995) 3 SCC 248

²⁵ *Id.*

²⁶ *Ashray Adhikar Abhiyan v. Union of India*, (2002) 2 SCC 27

²⁷ *Ibid*

²⁸ (2009) 5 Alj 376

Vaidyanathan in the case of *Amrutha v. The Commissioner*²⁹, the right of privacy of the deceased person was decided to be existent and was further observed that their souls should not be disturbed.

COMPARATIVE STUDY OF LAWS ON NECROPHILIA

Necrophilia is a psychosexual disease and is actually legal in many countries. And other countries which do believe in privacy of the dead and consider abusing the dead a crime have criminalized it. But the countries who have penal provisions related to the liability for necrophilia are not much developed and are vague in nature. However, different countries follow different practices related to Necrophilia. Let’s have a look at different systems of different countries related to necrophilia to understand different perspectives:

U.K.

Section 70 of the Sexual Offences Act, 2003 criminalizes the act of sexual penetration to a corpse and prescribes a punishment of imprisonment for a term which should not exceed two years. But as per the records, there are no prosecution in the particular offence till now³⁰;

U.S.A.

The United States does not have any Federal Laws related to necrophilia but they have left it on individual states to decide in this regard. For example: Florida in U.S.A penalizes necrophilia as a second-degree felony, Arizona penalizes necrophilia as class 4 felony, Hawaii



penalizes necrophilia under misdemeanour, Alaska penalizes necrophilia as class A misdemeanour. Likewise, other states in U.S.A also have their own provisions to deal with necrophilia³¹;

²⁹ W.P. no. 33672 of 2017

³⁰ Sexual Offences Act 2003, UK, available at: <https://www.legislation.gov.uk/ukpga/2003/42/section/70> accessed May 02, 2025

³¹ T. Ochoa T and Jones C, “Defiling the Dead: Necrophilia and the Law, 18 WHITTIER L. REV. 539” available at: <https://digitalcommons.law.scu.edu/facpubs/89> accessed May 02, 2025

France

France has one of the bizarre practises in the world in cases of necrophilia. France believes that marrying dead is even older than the “Magna Carta³²” and is termed as ghost marriage. There is a marriage called Posthumous marriage in which a living person marries a dead person, this is also called necrogamy. This practice is legal according to Article 171 of their Civil Code³³.

New Zealand

The New Zealand code does not specifically prescribe punishment for necrophilia but according to Section 150 of the New Zealand Crimes Act, 1961, a person is entitled to imprisonment for a term not exceeding two years for “Misconduct in respect of human remains”³⁴.

India

There are no specific laws relating to necrophilia in India but Section 297 of the Indian Penal Code, 1860 (section 301 of Bhartiya Nyaya Sanhita, 2023) penalizes the act of ‘Trespassing in burial places’ etc. which provides for punishment of imprisonment which may extend to one year, or fine, or with both. But there is no offence defined relating to abusing the dead³⁵. Old criminal law did not contain any explicit provision to criminalize sexual offence against dead bodies nor the newly passed criminal law criminalise this heinous crime against dead bodies.

Furthermore, there are many international laws dealing with the rights of dead persons, in the context of war crimes. This inculcate Article 16 of the Geneva Convention, 1949, the UK Military Manual (1956) and the US Naval Hand book (1995) protecting the dead bodies from being mutilated or mal-treatment.

³² The National Archives, “Magna Carta, 1215” (February 5, 2015) <https://www.nationalarchives.gov.uk/>



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³³ French Civil Code, Article 171

³⁴ Crimes Act 1961, New Zealand (*Crimes Act 1961 No 43 (as at 01 July 2020)*, Public Act – New Zealand Legislation) <http://www.legislation.govt.nz/act/public/1961/0043/latest/whole.html> accessed May 02, 2025

³⁵ Trivedi HD, “Section 297,” *Indian Penal Code, 1860* (Eastern Book Co 1981)

SUGGESTIONS:

Following are the few proposed changes in Indian Laws to protect the dignity of the dead based on author’s own analysis and research:

1. Introduction of a new section i.e. 301A in the *Bhartiya Nyaya Sanhita, 2023* which will specifically deal with rehabilitation of persons committing sexual abuse, sexual penetration or any other kind of disturbance to the dead and in case of Pseudonecrophiliacs or opportunist necrophiliacs punishment of imprisonment for not more than two years with or without fine;
2. Separate sections in hospitals, rehabilitation centres and mental hospitals to deal with such patients;
3. Establishment of council of members to review the prescribed rules and procedures for necrophiliacs from time to time and the council would also make awareness programs so as to impart knowledge among people and this would even help the persons developing any of such symptoms;
4. In light of curbing further cases of necrophilia, “the government should install CCTV cameras in all mortuaries of government and private hospitals it will act as in evidence.”
5. Police personnel should be trained in a way so as to deal with persons with any such disorders and further they could detain and communicate with people suffering from such disorders effectively.
6. Paraphilic sexual disorders are treated with Psychotherapy and medication at least for two years with even mildest symptoms. But the author suggests that the therapy should start at an earlier stage so that the illness does not turn severe;



7. Intensive and continuous research should be done to understand and deal with necrophiliacs.

CONCLUSION

Necrophilia is the most gruesome and horrendous crime. Even though corpses are not persons in the eyes of the law and at most are treated as semi-subjects, nobody has the right to disrupt the peace or tranquillity of a dead person. The disrespect shown to corpses reverberates the disregard for the deceased in society. Though sections in the Bhartiya Nyaya Sanhita, 2023 clearly have the full potential to inculcate crimes against the dead but ambiguity still persists because of no legislation and no clear precedents over the issue. It is high time India like UK and U.S.A., provides a clear legal stance on Necrophilia. Moreover, the perpetrator of such crimes often revealed to be medically suffering from psychological disorders but the same should not hinder the punishment as the wrongdoer are conscious enough to wilfully engage in such activities. Apart from that, for early detection of such disorders, awareness must be made among people and the government must try to facilitate the treatment of people seeking help. Law is dynamic in nature that keeps on changing with the changing need of society. With the onset of Necrophilic activities in society, it becomes a mandate on the part of the legislature to penalise this heinous offence.

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