

Eunuchs and Crime

The common perception about eunuchs is that they are a criminal community and are involved in regular petty offences or occasional major crimes. It is believed that they forcefully carry away eunuch children from their biological parents, kidnap normal children and turn them into eunuchs by cutting off their genitals. 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 discriminated community? Four judges of the High Court and four from lower courts in Mumbai, Lucknow, Delhi and Allahabad were enquired to ascertain the truth.

The following are the excerpts from the author's conversation with the judges:

Query	Your honour, please comment about eunuchs and crime.
Reply	They are nuisance. 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.
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 come to 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 non-cognisable nature, where eunuchs were inadvertently involved. However, I have never witnessed their involvement in any major offence. ¹
Author	Thank you, my Lordship!

Similar replies from all the eight judges indicate eunuchs are generally not involved in crimes. We may infer that 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, eunuchs conviction makes them appear above board.

Other than rumours, the author has not heard of a single case of forced castration having taken place.

Eunuch Deviants

But then, exceptions go 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 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.

¹ The incident mentioned below is an exceptional one – author

The Mumbai Mirror (Monday, July 20, 2009, p11), a popular tabloid belonging to the “Times of India” group, reported headlines “Eunuch who killed truck driver arrested”.

The gist of the case is as follows:

On June 1st Police found the dead body of a truck driver on 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* (roadside eatery) 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 at the location.

On the fateful day, driver Akhilesh Kumar Yadav engaged Pooja for her services, but paid less than the agreed amount to Pooja after the act. Losing her temper she called another eunuch Mona and her friend Mushtaq. All the 3 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 and so would Mona and Mushtaq’s, if caught, 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 fork out the demands of these eunuchs.

In prison, eunuchs are always kept in the women's section. Being overcrowded as they are, our prisons have no separate provision for housing eunuch inmates, who at any rate as seen above, are few and far in between.

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.

However, 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.

Eunuchs are interrogated by women police officials and are spared the 'third degree' normally used while interrogating male offenders. Also, for the most part, eunuchs are involved in petty, non violent offences that do not merit such severe interrogation.

General Observations

Having interacted closely with eunuchs over a very long time by now, many have asked the author for a regular blue-collared job. A friend, who is running a money recovery agency, once proposed that he could employ four eunuchs on a monthly salary, double their present earnings, and to be used as collecting agents. Wilful defaulters would give way on the eunuchs sitting in front of the defaulter's house causing public embarrassment. On offering this lucrative proposal to eunuch friends, till date the author has not been able to convince a single one to get tempted. The money the eunuchs say does not belong to them and hence, their *guru* will not permit the recovery of such amounts. Scared of any illegality, eunuchs do not venture into an offence easily. They prefer a simple and safe lifestyle rather than an affluent but risky one.

Crimes Against Eunuchs

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

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

Meeting Nargis Bano and Naina, who have borne the brunt of the brutality of our so-called 'civilized' society was not comfortable. Getting their permission to narrate their horrific experiences here, will make us aware of extent of cruelty and inhumanity meted out to them.

Nargis Bano

Nargis Bano was just 16 years old when she was gang raped by some antisocial elements.

A beautician by profession, she was on her way home from Mumbai one night. Getting down at Kurla railway station around 11.30 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 the malevolent intentions. The boys caught hold of Nargis, who started shouting for help. The boys hit Nargis who retaliated by hitting back. Her kameez got torn in the scuffle. Nargis desperately looked around but found nobody. The Pathan in Nargis Bano came to the fore and she hit one of the boys in his pelvis and bit the wrist of another. However, the third boy hit her on the forehead knocking her down and then all of raped her for over an hour, taking turns. After the gang rape, they whipped out a knife and threatened to finish her off. "They have made me dirty, *Napak*. Now these people will kill me. Please save me." All of a sudden, the men heard the footsteps of 3-4 persons approaching towards them. Afraid of getting caught, they vanished in the dark. Nargis staggered back to the railway station and sat on the platform bench, trying to stem the bleeding caused by the rape. Thanking Allah and KGN for saving her life despite losing her honour, she covered her breasts with the *dupatta* and 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. With blood stains on her body, she found her mother worried and tense. Nargis told her that she had slipped while getting down from the train and hurt herself. Preferring not to disclose the morbid event, she also avoided going back to the police station. This would have not only started gossip among the neighbours, her younger sister's wedding would also get affected if people came to know of her rape.

Naina

Naina, a native of the Medak district in Andhra Pradesh lives in Virar, a distant suburb in Thane district of Maharashtra. She earns a livelihood by begging. She was born a eunuch and is very beautiful. This eunuch was the unfortunate victim of a gang rape by 5 persons. Naina's parents were destitute and she had to struggle to earn a living. Finally, she came to Mumbai, joined a group of Eunuchs in Virar and adopted Islam. She has been living with them for the past 5-6 months and earns about Rs. 100 – 125 daily, from which she sends Rs. 1000/- to her village every month.

One night when she was merely 15 years of age, she was returning back to her guru's home. On her way, she was accosted by a couple of familiar persons, who informed her that a certain Mr. Hasmukhbhai Patel in the construction business wished to see her in his office. "Boss wants to give something to your *Guru*. Please accompany us and collect those gifts" they said.

The office being on way to her house, Naina went along with them without suspecting any mischief. Upon reaching there however, she was shocked to find three persons dressed only in their undergarments sitting inside, who eyed her with lustfully. All of them were totally drunk and under the influence of opium.

One of the group called her inside the office. They offered her around 2-3 hundred rupees for sexual favour. Realizing their intentions, 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, the group of five tied Naina's hands behind her back and ripped off her clothes and undergarments. 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. Collect your Rs 1000/- tomorrow morning." Naina started crying and was bleeding profusely from her anus.

Naina somehow managed to drag herself back to the house. Although nobody at the ashram had witnessed the incident, they could sense that something was terribly wrong with her. The guru Saira took her to a nearby hospital in Virar. Throughout the night, the doctor tried in vain to stop her bleeding. Naina lay unconscious for 5 days, without opening her eyes or saying anything. The blood loss made her very weak. Finally, the doctor in charge suggested to shift her to the comparatively better equipped Bhagavati Municipal Hospital, Borivli (West). In the the hospital, Naina regained consciousness and told the guru about everything that had happened to her that night and who the criminals were.

A police complaint was lodged against the five persons involved in the outrage. Guru Saira is well connected with the local people and social workers. She went along with the local people and a large group of eunuchs to the builder's office and ripped it apart. However, even after a week, when no progress was made in the investigation, Saira took out a *morcha* (procession) and took the police to task for their slow progress in the matter. All these influences from different quarters speeded up police investigations and arrested three of the five 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.

