
INTRODUCING ANTI-SUPERSTITION LAWS IN SOUTH INDIA: THE HORRORS OF WITCHCRAFT AND NARABALI (HUMAN SACRIFICE)

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ABSTRACT

The society is in a race of technological advancements while harmonizing their cultural relevance. However, along with such cultural practices, certain uncanny and dark practices still breathe across India namely the occult practices. These occult practices are highly regional and differ significantly. However, one final act of offering in these diverse occult practices is witchcraft and human sacrifice. The witchcraft and human sacrifices are actively practiced in South India where vulnerable groups are victimized to such horrors. The blood bath i.e. Narabali is expected to give fortune and treasures at the cost of lives and massacres, which is motivated by a godman. The existing criminal laws stand incompetent to measure and accommodate these phenomena within their words which has these horrors unaccounted.

Keywords: Anti-Superstition, Narabali, Witchcraft, Godman, Scapegoat, Criminal justice

OBJECTIVE AND SCOPE OF THE STUDY

This paper aims to study the phenomena of dark occult practices namely witchcraft, black magic, Narabali (Human Sacrifice) and their fatal implications on the social fabric and to find the loop holes in the criminal legal justice system. It is recognized that these blood baths are actively practiced in South Indian states and hence require a critical analysis and to ascertain legal implication. For the purpose of the study, the demography of Tamil Nadu, Kerala, Andhra Pradesh, Telangana and Karnataka have been consulted. Doctrinal method of research has been employed for this study.

The scope of this study extends to analyze the existing regional, state criminal law statutes that specifically deal with this subject and ascertain whether such law could be suggested to the states in South India.

“A hope for fortune is a belief that’s not merely an idea that mind possesses”

AN INTRODUCTION TO SUPERSTITION IN INDIA

The cycle of belief in good and fear of fate runs the intrinsic mechanism of superstition. India is known for its diverse schools of faith and stealth coated belief in religious activities and rituals. The stealth coated belief extends to a point where the boundaries between practices and lawfulness is shelved.

Human sacrifices and witchcraft are few of them. It is to note that Indian criminal justice system deals any homicide and murder based on the act and not the circumstantial facts preceding it. However, these cases may require a distinct approach. If the criminal justice system had been more effective when the cases of murders and homicides are dealt by words of the law irrespective of the notion preceding it, then there should be no reason why the cases of human sacrifice and deaths due to witchcraft is unattended comparative to other forms of murder. It is to put forth that there is a need for an anti- superstition law. An inspiration has been taken from the Maharashtra’s anti superstition law. We shall look into the cases and analyze the same. The geographical boundaries have been restricted to states of South India for the purpose of the paper.

CASES OF NARABALI (HUMAN SACRIFICE)

1. Krishnagiri's Horror 2022:

Lakshmanan, a farmer aged 52 was subjected to human sacrifice by his friend Mani, a security guard at pennagram, Dharmapuri, aged 65. Lakshmanan previously had a Godman perform exorcism on his daughter and he later suggested that performing a human sacrifice would bestow him with treasure pots and financial harmony. Lakshmanan had informed this to Mani and they syndicated to lure a woman to perform the sacrifice on a set date and time in his betelnut farm. Turns out, the woman did not show up and the time frame set to perform the ritual was ticking. The greed for treasure took over the prudent senses of Lakshmanan and he pounced on Mani to sacrifice him. Mani, in an attempt to reciprocate had hit Lakshmanan's head as a sacrifice. In the course of investigation, Mani confessed that he performed a human sacrifice of Lakshmanan who tried to pounce on him. Lakshmanan was later found in a deep pit in a betelnut farm with all the necessities of performing a human sacrifice i.e. betelnut leaves, turmeric, saffron, other puja items and a slaughtered chicken¹.

2. Elanthoor's dual sacrifice, 2022:

Two women were mercilessly killed in the context of Human sacrifice in Elanthoor, Kerala. Three of the accused confessed to the crime while in investigation and that the remains of the body were located in a pit. The two women went missing on June 6 and September 26 respectively and missing person complaints were filed. Shafi, the instigator proposed to Laila and Bhagaval Singh who was a traditional healer, to perform human sacrifice that would give financial jackpots to his family. The three formed a syndicate and had lured two women in the pretext of a porn film contract where they would be paid a whooping remuneration. Laila had hit them on their head and further performing the sacrifice. It is confessed by the three that they had mutilated the two women and that they consumed the meat. The remains of the women were buried in the premises².

¹ *Tamil Nadu Man Falls Prey to His Own Human Sacrifice Attempt*, ETV BHARAT (Oct. 1, 2022), <https://www.etvbharat.com/english/state/tamil-nadu/tamil-nadu-man-falls-prey-to-his-own-human-sacrifice-attempt/na20221001212358925925521>.

² *Details Emerge of Victims Killed by Accused Arrested in Kerala Human Sacrifice Case*, INDIA TODAY (Oct. 17, 2022), <https://www.indiatoday.in/india/story/details-emerge-victims-killed-by-accused-arrested-kerala-human-sacrifice-case-2286219-2022-10-17>.

3. Two daughters killed in Madanapalle, Chittoor, Andhra Pradesh, 2021 as they would come alive in Satya Yuga from Monday³

The accused Padmaja and Purushottam Naidu had killed their two daughters namely Sai Diviya, a student in A R Rehman Music School, Mumbai and Alekhya, a BBA graduate, on Sunday night in an attempt to perform narabali i.e human sacrifice to please the lord. The couple had believed and brainwashed their daughters about reincarnation. The mother used dumbbells to hit on their daughter's head. In investigation, the couple confessed that they did not do any wrong nor did they murder. The mother insisted that what they did is for their benefit and challenged the investigating authority that their daughters would return on Monday as the Satya Yuga starts. The couple seems to have no guilt and are ready to face any consequence as they see it as a part of the "good deed" and that they would be blessed by the Lord. The family had showcased deep religious belief in Lord Shiva and it was evident to the investigation agency when their social media had posts citing "Lord Shiva is Coming". The mother Padmaja had professed that Covid had come from her particles and not from China and that She is Shiva.

4. The bloody scam that shook Tamil Nadu, Madurai 2015⁴

Palanivel was picked by few people in 2002 near Madurai to a quarry. He saw that a man in mid-twenties was surrounded by a gang and that a Tantric poosari had slit the throat of the man. Palanivel was forced to be a part of this ritual. This case records five skeletons in years of investigation for "human sacrifice". Years of investigation and still the skulls peek once the soil washes off, is an indication that dark occult rituals still lure the whims and fancies of people.

KEY TAKEAWAYS FROM THE CASES

Yes, the question may arise when the criminal laws in India have penalized homicide and murder, why there is a need of separate law that aims at same cause of action. But, the existing criminal laws are inefficient and the approach by accused to the crime is unusual.

³ *Andhra Pradesh Mother Sacrifices 2 Daughters, Says 'Will Come Alive as Satyuga Starts from Monday'*, INDIA TODAY (Jan. 25, 2021), <https://www.indiatoday.in/crime/story/andhra-pradesh-mother-sacrifices-daughters-will-come-alive-sat-yuga-starts-monday-1762435-2021-01-25>. (indiatoday.in)

⁴ Jaya Menon, *A Bloody Scam That Shook Tamil Nadu*, TIMES OF INDIA (Sept. 27, 2015), <https://timesofindia.indiatimes.com/home/sunday-times/deep-focus/a-bloody-scam-that-shook-tamil-nadu/articleshow/49119913.cms>. (timesofindia.indiatimes.com)

It is pertinent to note that in every case of human sacrifice cited, there is an instigator such as a godman who proposes to perform human sacrifice in the promise of financial gains or an act that promotes greater good in the cycle of life. It is also pertinent to note that all the accused in all the cases have confessed to the crime willfully and with full confidence of pride. The accused showcased full confidence and no feeling of guilt to a point where they are ready to face any consequence and that they see any consequence or punishment as a part and “small sacrifice of pain” to this “good deed”. This confidence is a threat to the social fabric as they do not fear any consequence whatsoever to a point that they would whole heartedly accept capital punishment as a small cost of “good deed”. This confidence also propels the ideology and hence the increase in number of cases. An interesting fact to be noted is that most of the victims are women and children. The occult practices require “pure” offerings and they suggest women and children to be the “right” offering to gain maximum benefit. Hence, it is seen that these crimes are targeted against women and children. This demographic indication cannot be ignored considering their vulnerability and them being used as a scapegoat or a “surrogate victim” to prevent other harm or to gain.

Superstition, as a social legal problem, refers to irrational beliefs and practices that can have detrimental effects on individuals and society as a whole. It becomes a social legal problem due to its potential to infringe upon basic human rights, perpetuate harmful practices, and hinder societal progress⁵.

This further means that these practices tend to have a domino effect on the society where one practice either inspires the other to undertake or causes enough fear for them to undertake these practices in order to counter the anticipated practice victimizing them. Either way, these occult practices are targeted towards women and children who are vulnerable. The choice for a scapegoat is not exclusive of vulnerable classes either. There is a propensity for choosing victims pertaining to groups who are disadvantage such as due to their economic instability, revenge motives, or a mere association to a social class which can easily dust off the crime without noise.

Some of the practices include but not limited to:

⁵ Ravi R. Adhwaryu & Pritish R. Adhwaryu, *Anti Superstition Laws: Issues and Challenges in India*, 12 YOUNG RESEARCHER 112 (2023), <https://doi.org/10.5281/zenodo.8350191>.

- a) Killing of foetus inside a woman's body
- b) Sexual exploitation on the pretext of granting a male child
- c) Narabali (Human sacrifice) of women and children.

Black necromancy, frequently known as necromancy, is the use of preternatural authority for wrong and selfish motives, as well as wicked conditioning intended to ruin someone physically, emotionally, or financially. It can be done with the fatality's hair, clothes, a snap, or by gaping right into their eyes⁶.

Some of the key takeaways from the case studies cited above is that the intent was never to actually cause physical harm but physical harm being a medium through which financial gains or treasures or emotional fulfilment are wished. As argued, black magic is highly systematic and organised which has intervals and specific time frames which require a certain act. Arranging them and connecting them chronologically to establish guilt is a challenge considering the current criminal legal system. Lets say the doctrine revolving around capital punishment is "rarest of the rare" mantra, which essentially means, not only that the judge's mind should be satisfied beyond all reasonable doubt, he should be satisfied that this case is rare enough like a blood moon for black magic to call for highest possible punishment such as death penalty.

In *Shushil Murmu vs. State of Jharkhand* 2003⁷, the supreme court held that human sacrifice is a barbaric act and it falls straight under "rarest of the rare" case when a nine-year old child was sacrificed to goddess Kali. The implication is that the moment the murder is interpreted as a "human sacrifice", it attracts highest possible punishment. However, establishing chronology of events as an occult -practices is a challenge. Similarly in *Ishwari Lal Yadav vs. State of Chhattisgarh* 2019⁸, the supreme court confirmed death penalty to the accused for sacrificing a two-year old boy. The court stepped out of the rules of law and relied heavily on extra-judicial confessions which was followed by recovering body of the child.

Superstition requires blindfolded confidence and tenacity; such blindfolded confidence and

⁶ Damyanti Agarwal & Dr. Saltanat Sherwani, *Anti-Superstition Laws: Bringing Reforms to the Nation*, 3 INTEGRAL L. REV. 1 (2024–2025).

⁷ AIR 2004 SC 394

⁸ 2019 (10) SCC 423

tenacity is already seen in all the cases of human sacrifice. This alarms that cases emerging from Human Sacrifice or witchcraft should be given a different treatment in investigation and in legal interpretation.

The day self-harm is penalized and at the same time praised and facilitated by the law enforcement agencies when it is done in the name of religious activity or cultural activity, is the day we require a special law and dedicated training to the enforcement agencies and the judiciary that deals with superstitious activities.

NATIONAL CRIME RECORDS BUREAU: THE STATISTICS

The statistics of 2022, cite that there have been 8 deaths due to witchcraft in Andhra Pradesh. In Kerala, there has been 1 death due to witchcraft and 1 death due to child/human sacrifice. In Telangana there has been 1 death due to witchcraft and 1 death due to human sacrifice. Karnataka and Tamil Nadu have not recorded any deaths due to these motives in 2022 but this does not nullify the cases in Tamil Nadu and Karnataka reported prior or after 2022. The statistics of 2022 also provided a separate data for deaths due to witchcraft and human sacrifice in metropolitan cities. Only Kochi, Kerala records 1 death due to human sacrifice⁹.

The reports of 2024 by NCRB state that the number of deaths due to human sacrifice in Andhra Pradesh has been 4, while due to witchcraft has been 1. In Kerala, there has been no reported death due to witchcraft or human sacrifice. In Telangana, there has been 5 deaths due to witchcraft while in Karnataka, there has been 2 deaths due to human sacrifice. Tamil Nadu has not reported any death due to Witchcraft or human sacrifice.

The major takeaway from these statistics is that these murders are not prevalent in metropolitan cities or cities where elite of the elite services or efficient advancements whether scientific or infra or educational are budding. It is to note that these murders in the name of “sacrifice” are prevalent in rural cities and geographically interiors of rural localities. This shows that though some degree of superstition is existing in every place, the degree required to honor human sacrificing is more present in rural areas where the law enforcement agencies sadly do not have a strong grip compared to metropolitan cities. This is due to the syndicate ideology of the locals of the rural that competes against the law and even sometimes the meeting of conservative

⁹ National Crime Records Bureau, Statistics 2022 Vol.1, Ministry of Home Affairs

minds is more significant towards superstition.

Another takeaway from the statistics is that there has been failure in differentiating between murders due to human sacrifice and murders due to witchcraft. This causes ambiguity in data interpretation. Neither the statistics defined these crimes, nor did they mention that any “revenge murder for witchcraft” is also included in the data for murders due to witchcraft.

ANTI SUPERSTITION LAWS IN INDIA AND THE CONSTITUTION

India does not have a national law promoting anti-superstition. One of the reasons would be that it will be impossible to define black magic and human sacrifice or witchcraft to give effect to the provisions in the statute as the practices are occult methodologies, very regionalized and efficient data to interpret is absent. However, we see few states now taking their turns to penalize witchcraft or superstitious activities or even human sacrificing. The constitution provides a fundamental duty under Article 51(A)¹⁰ i.e. it is the duty of every individual to develop scientific temper. The essence of this provision can also extend to temperament against dark practices to ensure social safety and harmony. The reason why the existing general criminal laws fail to accommodate crimes arising out of black magic or these occult practices. The reason being

- a) The general criminal law statutes expect words of the provision to be met and restricts itself to the commission of the act. Such as murder requires a culpable homicide with intent to kill.
- b) The rituals of black magic and occult practices are highly systematic. The ritual has stages that is supposed to be practices with a detailed environment and timelines. This means even the act of human sacrifice won't happen as a continuous event but a chronology of events. Ascertaining motive here in different stages of the practice is practically impossible for the existing general criminal law statutes and their precedents. Incase of black magic, the end result is least anticipated by the practitioner where he probably intends misfortune such as loss of property and peace, however its propensity to result in loss of life without there being a perpetrator in such “unnatural death” is least discussed. Doctrines such as proving beyond all reasonable doubt is

¹⁰ Article 51(A)(h) of Constitution of India, “to develop the scientific temper, humanism and the spirit of inquiry and reform”

another problem when people like “godman” are involved in instigating and inspiring people to practice, as their direct involvement is subjective and falls in grey area.

Hence it is seen that a regional law is required to curtail these occult practices or at least, hold accountability. The following are some statutes by states which took the initiative to deal with such practices.

THE MAHARASHTRA PREVENTION AND ERADICATION OF HUMAN SACRIFICE AND OTHER INHUMAN, EVIL AND AGHORI PRACTICES AND BLACK MAGIC ACT, 2013-

Maharashtra was the first state to penalize these activities with their law. Section 3¹¹ of this Act provides that no evil practice or aghori practice or human sacrifice shall be done by him or through others and the punishment ranges from six months to seven years along with fine. The schedule of this Act provides a wide range of activities well defined and penalizes them such as posing as a godman or casting a view that supernatural blessings may be drawn if black magic or evil practices is done, which addresses the issue when there is abetment by another person to perform a human sacrifice, which is present in all the abovementioned cases.

THE GUJARAT PREVENTION AND ERADICATION OF HUMAN SACRIFICE AND OTHER INHUMAN, EVIL AND AGHORI PRACTICES AND BLACK MAGIC ACT, 2024-

Gujarat had passed their law in 2024. Section 3¹² of this Act penalizes the evil practices, aghori

¹¹ Section 3 of The Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013, “(1) No person shall either himself or through any other person commit, promote, propagate or practice or cause to promote, propagate or practice human sacrifice and other inhuman, evil and aghori practices and black magic mentioned or described in the Schedule appended to this Act.

(2) From the date of coming into force of this Act, commission of any act of human sacrifice and other inhuman, evil and aghori practices and black magic and any advertisement, practice, propagation or promotion of human sacrifice and other inhuman, evil and aghori practices and black magic, in violation of the provisions of this Act, by any person by himself or through any other person shall constitute an offence under the provisions of this Act, and the person guilty of such offence shall, on conviction, be punished with imprisonment for a term which shall not be less than six months but which may extend to seven years and with fine which shall not be less than five thousand rupees but which may extend to fifty thousand rupees.

(3) Whoever abets the commission of, or attempts the commission of any act or offence punishable under sub-section (2) shall be deemed to have committed that offence and shall, on conviction, be punished with the same punishment for such offences in sub-section (2).

(4) The offence punishable under sub-section (2) shall be cognizable and non-bailable”

¹² Section 3 of The Gujarat Prevention and Eradication of Human Sacrifice and Other Inhuman, Evil and Aghori Practices and Black Magic Act, 2024, “(1) No person shall either himself or through any other person commit, promote,

practices and human sacrifice. It is pertinent to note that this Act had provided that any offence under this Act shall be treated as set by the provisions in Bharatiya Nagarik Suraksha Samhita (BNSS) and acts as an ancillary to the main three criminal laws by engulfing and defining different evil practices in Gujarat. This reduces the ambiguity that might have occurred if the three criminal laws such as Bharatiya Nyaya Sanhitha (BNS) or BNSS were directly interpreted and further diluting the purpose of those Acts.

THE KARNATAKA PREVENTION AND ERADICATION OF INHUMAN EVIL PRACTICES AND BLACK MAGIC ACT, 2017-

This Act penalizes black magic practices and appoints vigilance officer like those of the Acts mentioned above.

Hence, it is to suggest that states to have their own laws penalizing black magic or human sacrifice or evil practices by defining them to avoid ambiguity. This gives a regionalized approach and establishes better vigilance on the state by their state governments and better adaptability. It is also to suggest that there should be more vigilance on the non-metropolitan cities, regular awareness programs and first establish a good relation with the locals of the rural and then implement the policies and provisions of the Act. Absence of a friendly relation between two ideologies i.e. between the law enforcement agencies and the rural shelves the effectiveness and efficiency of the law.

CONCLUSION

No happy home is built on the blood and tears of others. These practices violate fundamental right to life and do not generate scientific temper as proposed by Article 51A(h). This causes a dualism in ideologies i.e. between superstition in the name of cultural activities and finding the

propagate or practice or cause to promote, propagate or practice human sacrifice and other inhuman, evil and Aghori practices and black magic mentioned or described in the Schedule appended to this Act.

(2) The commission of any act of human sacrifice and other inhuman, evil and Aghori practices and black magic and any advertisement, practice, propagation or promotion of human sacrifice and other inhuman, evil and Aghori practices and black magic, in violation of the provisions of this Act, by any person by himself or through any other person shall constitute an offence under the provisions of this Act, and the person guilty of such offence shall, on conviction, be punished with imprisonment for a term which shall not be less than six months but which may

extend to seven years and with fine which shall not be less than five thousand rupees but which may extend to fifty thousand rupees. (3) Whoever abets the commission of, or attempts the commission of any act or offence punishable under sub-section (2) shall be deemed to have committed that offence and shall, on conviction, be punished with the same punishment for such offences in sub-section (2). (4) The offence punishable under sub-section (2) shall be cognizable and non-bailable”.

scientific rationale behind practices. This makes a playground where one is competing the other.

This environment is hostile for the social fabric. Further, it is suggested that the law enforcement agencies are trained specially to handle these cases to shelve any other inefficiencies caused due to the fear associated with such cases. The demography of Kerala, Andhra Pradesh and Tamil Nadu indicates that there are still active practices of witchcraft, black magic, human sacrifices and other occult practices which require holding accountability to ensure public safety. Hence, it is suggested that inspiration is taken from the above quoted state statutes dealing with these occult practices and there is a law enforced to have a vigilance mechanism and to reduce these socially ill instances. It is also suggested that the first responders and investigators who get first exposure to these crime scenes are trained to investigate freely and filter out their personal biases and fears that hamper the scientific temper of the entire crime scene investigation as they would hesitate to touch or collect evidences in a way they would normally do in other crime scenes. This ensures the material evidence is not missed from calculation. It is also suggested that the “godman” of these rituals is deemed at par to the accused in action to discourage the “godmans” from disseminating their “cosmic knowledge” that tarnishes the societal peace and endangers social fabric.

The efforts and attempt of researchers to emphasize on stringent laws that draw the boundaries in superstitious practices is subjected to wide range of criticism and unreasoned comparison with other practices and historical events, hence all the studies have been dodging bullets of criticism. The cycle of belief in good and fear of fate runs the intrinsic mechanism of superstition, yes. But not at the cost of the social fabric.

“A hope for fortune is a belief that’s not merely an idea that mind possesses, A fear of misfortune is a belief that haunts the mind”.