

Necrophilia in Bangladesh: Crimino-Legal Deficits and the Need for Urgent Penal Reform

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ABSTRACT

Necrophilia, defined sexual attraction to or sexual contact with a human dead body, indicates one of the most serious forms of sexual misconduct. The inherent dignity owed to a human being, which persists beyond life, is basically violated by this act. Despite its severe moral and societal offense, the legal and criminological disposition of necrophilia remains ambiguous in many jurisdictions, including Bangladesh. This article carefully examines the existing legal framework in Bangladesh concerning necrophilia, precisely material deficiencies in statutory provisions arising from the Penal Code, 1860, the oldest criminal law in Bangladesh. After analysis of recent domestic cases recorded and exploring the underlying criminological factors, the study highlights the urgent need for comprehensive legislative and institutional reform to adequately criminalize the act, protect human remains, and align Bangladeshi law with international standards of justice and morality.

Keywords: Necrophilia, Human Corpse, Criminal Law, Penal Reform, Forensic Psychiatry.

INTRODUCTION AND BACKGROUND

Necrophilia, while quantitatively rare, exposes major systematic weaknesses in a country's legal and institutional infrastructure. In recent years, Bangladesh has witnessed several high-profile incidents revealing an alarming pattern of sexual abuse of human corpses, predominantly occurring within government Medical College morgues.

The case of a young woman's body being sexually violated in the morgue of Mymensingh Medical College and leading to the confession of the body carrier, is the most recent manifestation of this crimino-legal crisis.¹ Prior incidents include the arrest of a morgue guard at Chittagong Medical College and Hospital² and the alarming investigation by the Criminal Investigation Department (CID), which uncovered evidence of the same man's semen on at least five bodies at Dhaka's Shaheed Suhrawardy Medical College, leading to the arrest of Munna Bhakta³, an associate of the mortuary staff referred to as *dome*.

The common thread in these documented cases is the comprehensive failure to prevent the violation, followed by the struggle to secure appropriate criminal charges against the perverts. Currently, Bangladesh has no specific statutory laws to criminalize necrophilia. This absence rises a legal vacuum, compelling law enforcement agencies to rely on outdated and insufficient provisions. This inadequacy often results in minimal deterrence to necrophilia and a miscarriage of justice. The objective of this article is to fill this judicious research gap by providing a detailed legal and criminological critique. Along with a critical discourse, this article aims to propose a framework for urgent penal and institutional reform in this field.

¹ The Daily Star (Bangla), 'Egregious forms of sexual deviance and justice concerns in Bangladesh' (online, 23 October 2025) <https://bangla.thedailystar.net/news/bangladesh/crime-justice/news-708311> accessed 15 November, 2025.

² The Business Standard, 'CMCH morgue guard arrested on charge of necrophilia' (online, 18 February, 2022) <https://www.tbsnews.net/bangladesh/crime/cmch-morgue-guard-arrested-charge-necrophilia-377944>, accessed 12 November, 2025.

³ Prothom Alo, *Physical Contact with the Corpse, Dom's Associate Arrested* (online, 20 November 2020) <https://www.prothomalo.com/bangladesh/crime/fhcwo0d3tv> accessed 11 October, 2025.

METHODOLOGY AND APPROACH

This research article applies a multi-disciplinary legal research methodology in co-ordination with traditional legal analysis with socio-legal and comparative perspectives. The approach is structured as follows:

Doctrinal Analysis: A rigorous examination of the Penal Code, 1860, the Prevention of Oppression Against Women and Children Act, 2000, the General Clauses Act, 1897 and the Code of Criminal Procedure, 1898. This analysis identifies the specific 'definitional limitations' e.g., the definition of 'living woman' that exclude the prosecution of necrophilia under rape or an unnatural offense by applying the prevailing legal mechanism.

Comparative Legal Analysis: In order to provide a comprehensive reform policy, the study uses a comparative prism after examining the existing legislative resources in different international jurisdictions like the UK (Sexual Offences Act 2003) and Canada (Criminal Code, s. 182). This serves to benchmark Bangladesh's 'one-year penalty' against international standards of proportionality.

Case Study Method: This article analyzes recent high-profile incidents (e.g., the Mymensingh and Suhrawardy Medical College cases) to depict the systemic failure of hospital management, administration and the inadequacy of the current dependency on S. 297 of the Penal Code, 1860 to tackle necrophilia.

Constitutional Interpretation: Using a teleological approach, the research interprets the 'Right to Life' (Art. 32) and 'Human Dignity' (Art. 11) of the Bangladesh Constitution as evolving standards that necessitate protection for the deceased's posthumous honor and dignity.

Criminological & Ethical Inquiry: The research includes psychological classifications (APA/DSM-5) and sociological data on mortuary workers to explain the 'opportunity-based' nature of the crime. By this approach it justifies the need for institutional as well as punitive reform initiative

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

The legal analysis surrounding necrophilia in Bangladesh is characterized by a 'silence of the statutes'. This existing framework places the research at the intersection of legal positivism, after death dignity and criminological view of institutionalism.

Existing Enactments and Doctrinal Positions: Current legal discourse in Bangladesh predominantly focuses on sexual violence against the living person (S. 375, Penal Code). However, as found by Aggrawal (2010), necrophilia is a distinct paraphilic disorder completely different from rape which challenges traditional 'personhood' boundaries in criminal law. Existing writings often struggles to categorize the offence whether it is a crime against property, a crime against public morality, or a crime against the person. This study argues against the 'property' classification, affirming that a dead body retains a residual legal personality regarding dignity.

The Sanctity of the Dead: Analyzing ideas from International Human Rights Law (IHRL) and Article 11 of the Constitution of Bangladesh, this study adopts the theory focusing human dignity as an intrinsic value that does not extinguish at death. This analogy aligns with the modern judiciary perspective which views equal respect for the dead i.e. post mortem dignity as a core component of human rights.

Criminological Context: The research framework incorporates occupational marginalization i.e. socio-legal theories regarding the 'Dome' community. It explores the vicious cycle of desensitization. This cycle claims that social untouchability and psychological trauma in mortuary settings create 'high-opportunity' environments for deviant behavior of the mortuary workers.

Theological Consonance: The article utilizes a comparative theological framework in major three religious perspectives i.e. Islamic *ḥurmat al-mayyit*, Christian sanctity, and Hindu *śauca* to demonstrate a normative consensus that transforms the current secular legal vacuum.

While existing literature briefly emphasis on 'indignity to a corpse' (S. 297, Penal Code), this research departs from traditional interpretations by arguing that necrophilia is a unique criminological deficit that cannot be 'tackled' by existing provisions relating to unnatural offence laws (S. 377). This article proposes a shift from mere 'religious feeling' protection toward a rights-based penal reform.

Theoretical and Criminological Context

Necrophilia, derived from the Greek words *nekros* (corpse) and *philia* (love)⁴, is defined by the American Psychological Association (APA) and classified as a Paraphilic Disorder.⁵ This classification refers to repeated and intense sexual fantasies to dead body. Moreover, it implies the urges, or behaviors that involve sexual contact with a deceased person.

Criminological studies implies that necrophilic acts are largely committed by males reported rates as high as 92% and are typically motivated by complex psychological factors⁶, including a desire for complete control and dominance over a non-resisting partner, a fear of rejection or difficulty forming sexual or emotional relationships with living individuals, and opportunities facilitated by employment or access to environments where human remains are available, such as morgues or funeral homes or places.

Historical records indicate that necrophiles existed during ancient times. The societies have had protective measures to safeguard corpses from desecration, especially beautiful and aristocrat female corpses. For example, the prominent historian Herodotus inscribed such practices like necrophilia that were existed in ancient Egypt. Herodotus suggesting that necrophilic tendencies, which were rare, but persisted across different cultures throughout history.⁷

The Vicious Cycle: Occupational Marginalisation and Desensitisation

The necrophilic incidents that recorded in Bangladesh, reveal an unprecedented criminological layer tied inter alia to many institutional settings. Mortuary workers, particularly from the *dome* community of Hindus, often experience persistent socio-economic discrimination and strong social stigma. They face neglected and subordinated while working in unsafe, unhealthy and emotionally challenging environments in Bangladesh. The dome community is regarded as a lower caste within Hindu society and historically considered 'untouchable'. They are mainly responsible for handling dead bodies especially deceased of unnatural death including their preparation, burial, and cremation.⁸ They are also engaged in disinterring human corpses, sometimes putrefied corpses for autopsy in the case of unnatural death of the deceased whenever needed for investigation⁹. These unpleasant activities and conditions contribute to chronic stress, psychological vulnerability, and recorded substance misuse, factors that significantly heighten the risk of paraphilic behaviours in predisposed individuals as per criminological purview.

Psychological insensitivity can develop when individuals, particularly untrained assistants, are repeatedly exposed to human remains and death-related processes without adequate support.¹⁰ Over time, this exposure may lead to emotional numbness and a diminished sensitivity to the human body. It can also distort how individuals perceive death and corpses. When there is little or no supervision, these effects are amplified. Such an environment may increase the likelihood of opportunistic deviant behaviour.

⁴ Jason Payne-James and Roger W Byard (eds), *Encyclopedia of Forensic and Legal Medicine* (3rd edn, vol 1, 2024).

⁵ American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders* (5th edn, APA 2013) and World Health Organization, *International Classification of Diseases* (10th rev, WHO 1992).

⁶ See e.g. Aggrawal A, *Forensic and Medico-legal Aspects of Sexual Crimes and Unusual Sexual Practices* (3rd edn, CRC Press 2010) 312–13.

⁷ Herodotus, *The Histories* (trans. Aubrey de Selincourt, Penguin Classics 1996) Book II, 86–87.

⁸ HH Risley, *The Tribes and Castes of Bengal*, vol 1 (First published 1892, Firma Mukhopadhyay 1981) 251.

⁹ *The Code of Criminal Procedure 1898* (Act V of 1898) s 176(2).

¹⁰ Aggrawal A, *Forensic and Medico-legal Aspects of Sexual Crimes and Unusual Sexual Practices* (3rd edn, CRC Press 2010) 312–13

Ethical, Comparative, and Legislative Imperatives

Necrophilia forms a profound violation of post-mortem human dignity. This is definitely an infringement to the ethical obligations as to the respectful treatment of human remains. In Bangladesh, the absence of a specific penal remedy causes a serious criminological and legal gap. This systematic gap weakens moral accountability by undermining social, religious, and constitutional commitments to the dignity of human being after death.

In many countries of the world effective reform paradigms have been built to address necrophilia. The United Kingdom criminalizes sexual penetration of a corpse¹¹ under the Sexual Offences Act 2003, Canada prosecutes such conduct as indignity to a dead body under section 182 of its Criminal Code¹², and South African courts impose custodial sentences for violations of the dead. These jurisdictions affirm necrophilia as a distinct and serious offence warranting proportionate punishment.

Comparative Religious Condemnation of Necrophilia in Bangladesh

Across major religious traditions in Bangladesh, necrophilia is harshly condemned as a grave moral and religious wrong. This decry is grounded in a shared religious faith and commitment to the sanctity of the human body and the obligation to honor the dead. Islamic jurisprudence (fiqh) harmonizes inviolability to the human corpse in both life and death.

In Islam, necrophilia is regarded as a serious sin and a violation of *hurmat al-mayyit* (the sanctity of the dead).¹³ Respectful treatment of human remains is a part of Islamic culture and belief which mandated *inter alia* the absolute prohibition of unlawful sexual conduct and the impossibility of consent by the deceased.

Similarly Christian ethical teachings reinforce the inherent dignity of the human body as divine creation. Treating the human corpse with great honor and dignity is a moral duty under Christianity.¹⁴ It classifies necrophilia as a grave sexual sin contrary to moral law and human dignity.

Hindu religious and moral thought likewise emphasizes *śauca* (purity) and adherence to *dharma*.¹⁵ It strictly prohibits necrophilia as impure and ethically destructive acts. This interfaith consonance highlights a strong moral consensus that reinforces the normative case for criminal prohibition within Bangladesh's plural legal and social framework.

Necrophilia as a Violation of International Human Rights Law

International human rights law (IHL) mainly focuses on the protection of living persons. However, modern legal interpretations of IHL increasingly recognize that human dignity continues till after death. Acts connected to sexually abuse or desecrate human remains violate international legal standards. To protect human dignity after death has been placed as focal point of many international treaties, court decisions, and customary international law.

Under Article 7 of the ICCPR, cruel, inhuman, or degrading treatment is not limited to the living.¹⁶ This provision is applicable to the disrespectful treatment of human remains when it humiliates the deceased and causes serious mental suffering and injury to their relatives. Article 5 of the American Convention on Human Rights has been similarly interpreted in the same footing. Protection of respect for the dead has made obligatory by this instrument. Moreover, the Inter-American Court views this respect as a core part of human dignity. International humanitarian law strengthens this rule. The mutilation and desecration of human bodies is clearly prohibited by international legal instruments.

¹¹ Sexual Offences Act 2003, (UK) s 70.

¹² Criminal Code, RSC 1985, c C-46 (Canada) s 182 (improper interference with human remains).

¹³ Ibn Qudamah, *Al-Mughni* (Dar 'Alam al-Kutub 1997) vol 9, 137.

¹⁴ John Breck, 'The Sacredness of the Human Body in Christian Ethics' (2005) 49 *St Vladimir's Theological Quarterly* 187.

¹⁵ Julius J Lipner, 'The Nature of Hindu Ethics' (1986) 7 *Journal of Religious Ethics* 234.

¹⁶ International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 art 7.

Now it is a wider global consensus that the dignity after death will be protected by the states. Abuse of a dead body is widely regarded as an outrage upon human dignity.¹⁷ Humanitarian law explicitly requires honor for the dead and prohibits violations upon personal dignity. Moreover, the UNESCO Universal Declaration on Bioethics and Human Rights¹⁸ stresses dignity, vulnerability, and integrity of human remains. These principles are widely understood to apply to people even after death. Respect for the dead has also attained customary international law status. Moreover, sexual abuse of a dead body during armed conflict is universally regarded as a violation and atrocity upon personal dignity, even after death.¹⁹ As a result, the absence of clear criminal laws in Bangladesh against necrophilia is not just a moral failure. It fails to meet international legal obligations conferred upon and commitments made by Bangladesh.²⁰ This highlights the urgent need for penal reform to deal with the case of necrophilia.

Constitutional Incorporation of International Norms and Penal Reform on Necrophilia

Although there is no explicit provision regarding necrophilia in the Constitution of Bangladesh, it contains legal principles regarding human dignity and values.²¹ The Constitution strongly enshrines human rights principles such as dignity, physical integrity, and protection from degrading treatment and punishment.²² This clearly indicates a significant disparities in the existing criminal laws of Bangladesh.

Article 11 of the Constitution affirms respect for human dignity as a core constitutional value with legal mechanism of enforceability. It says that respect for the dignity and worth of the human person shall be guaranteed by the state.²³ Reflecting the international consensus, it states that dignity is inherent to human beings and this intrinsic value does not extinguish upon death. Necrophilia, by its nature, constitutes an extreme disrespect to this core values. The absence of explicit criminalization of necrophilia is constitutionally anomalous. Article 35(5) of the Bangladesh's Constitution prohibits cruel, inhuman, degrading treatment or punishment parallels as Article 7 of the ICCPR. When interpreting in light of international jurisprudence, Necrophilia may encompass post-mortem abuse that humiliates the deceased or causes severe mental suffering to relatives.

Similarly, Article 32 guarantees right to life and personal liberty that has been judicially interpreted to include dignity and moral integrity consistent with the notion of post-mortem dignity of human being. The failure to penalize necrophilia also raises concerns under Article 27, as it creates arbitrary inequalities in legal protection between violations of living and deceased bodies.

Necrophilia V 'Rape' under Bangladeshi Law

In Bangladesh rape has been conceptualized in two primary enactments i.e. section 375 of the Penal Code, 1860 and section 9 of the Prevention of Oppression Against Women and Children Act, 2000. A consolidated interpretation of these provisions implies that necrophilia, although deeply immoral, does not fall within the legal definition of rape. This exclusion shows a weakness in the current legal framework of Bangladesh.

Section 375 of the Penal Code is meant to protect a person's sexual freedom. This protection assumes that the person (victim) is alive, conscious, and legally capable of acting. The offence is construed incorporating elements such as active noncompliance, absence of consent, coercion through fear, deception as to marital identity, and age-based incapacity.²⁴ Each of these parts needs a person who can think and make choices. Death extinguishes these aforesaid capacities, rendering the application of rape jurisprudence to necrophilia legally indefensible. The statutory explanation that penetration alone suffices to complete sexual intercourse²⁵

¹⁷ *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (adopted 10 December 1984, entered into force 26 June 1987) 1465 UNTS 85, art 16.

¹⁸ UNESCO, Universal Declaration on Bioethics and Human Rights (adopted 19 October 2005) UNESCO Doc SHS/EST/BIO/06/1.

¹⁹ *Geneva Convention I* (adopted 12 Aug 1949, entered into force 21 Oct 1950) Common art 3.

²⁰ The Constitution of the People's Republic of Bangladesh, Part II, *Fundamental Principles of State Policy*, art. 25.

²¹ *Constitution of the People's Republic of Bangladesh 1972* pt III.

²² *Constitution of the People's Republic of Bangladesh 1972* art 35.

²³ *Constitution of the People's Republic of Bangladesh 1972*, Part II, art 11.

²⁴ *Penal Code 1860* s 375.

²⁵ *Penal Code 1860* s 375 Explanation.

is merely descriptive of the physical act and cannot be considered separately from the requirement that the act be committed against a living woman²⁶. Further, the law always talks about a ‘woman’ and includes a marital exception, which ends at death, showing that the offence can only happen between living people.

Section 9 of the Prevention of Oppression Against Women and Children Act, 2000 reinforces this position. The provision frames rape as conduct inflicted ‘upon a woman or a child’, terms that in criminal law indicates living persons possessing legal personality.²⁷ The definition of rape under the Act is based on lack of consent or consent vitiated by intimidation or fraud. These concepts either are legally meaningless in relation to a corpse.

The internal structure of Section 9 further precludes its application to necrophilia. The provisions of the Act talking about death resulting from rape establish a sequential connection in which sexual violence precedes death. In contrast, necrophilia involves sexual acts subsequent to death and therefore falls outside the statutory causation model set by the above provisions of the said laws.

From a jurisprudential standpoint, laws relating to rape are designed to safeguard sexual desire and bodily integrity i.e. interests that terminate upon death. In short, necrophilia is more appropriately meant as a distinguished offence against human dignity and public decency similar to the violation or abuse of human dead body. The fact is necrophilia cannot be prosecuted as rape. Because, it shows a gap in the existing laws claiming the need for a separate offence especially for sexual abuse of the dead in Bangladeshi law.

Analysis of Crimino-Legal Deficits in Bangladesh

The failure to prosecute accused connected with necrophilia under its own distinct offence is rooted in the reliance on the Penal Code, 1860. But this outdated penal law fundamentally fails to address the sexual violation of a corpse.

There is a clear absence of explicit criminalization of necrophilia in Bangladesh. It means that sexual abuse of corpses is not directly prohibited by law. Many Western countries, such as Canada, the UK, and South Africa, have laws that specifically criminalize sexual violation of a corpse. These laws also cover acts that show indignity to human remains. Violating these laws can result in severe penalties. In contrast, Bangladesh does not have a similar legal provision.

Section 297 of the Penal Code, 1860, deals with indignity to a human corpse. It is often misapplied and does not cover sexual abuse of corpses outside burial sites. The penalties under this section are minimal and do not reflect the severity of the crime. Because, section 297 of the Penal Code, 1860 is the only provision that invites to deal with the act of necrophilia in Bangladesh. But it is clearly insufficient because of limitation of jurisdiction and penalty. The provision penalizes offering ‘indignity to any human corpse’ or trespassing on a burial site with intent to insult religious feelings.²⁸ The provision as designed typically applies to burial grounds or places of worship, failing to encompass the location or site of the reported crimes *inter alia* morgues and hospital preservation facilities. In addition, the maximum punishment under Section 297 is only one year of imprisonment or a fine, or both.²⁹ This penalty bears no reasonable proportion to the severity and moral depravity of sexual violation and offers virtually no deterrent effect against necrophilia.

The unnatural offences of section 377 does not cover sexual abuse of corpses. This exclusion leaves such acts unaddressed by the law. Section 377 of the Penal Code, 1860 criminalizes ‘carnal intercourse against the order of nature with any man, woman or animal’.³⁰ While the language appears broad, judicial and legal interpretation excludes necrophilia. The General Clauses Act, 1897 and the Penal Code, 1860 define ‘woman’ as a *living* woman.³¹ Consequently, the sexual violation of a dead body cannot be prosecuted under section 377

²⁶ Penal Code 1860 s 10 (definitions of ‘man’ and ‘woman’).

²⁷ Prevention of Oppression Against Women and Children Act, 2000 (Act no VII), s 9.

²⁸ Penal Code 1860 (Act XLV of 1860) s 297.

²⁹ *Ibid.*

³⁰ Penal Code 1860 (Act XLV of 1860) s 377.

³¹ Penal Code 1860 (Act XLV of 1860) s 10.

because of definitional constraint. This technical twist in the law ensures that even the potential for a long prison i.e. imprisonment for life sentence under this section cannot be realized in necrophilia cases.

Crimino-Legal Synthesis and Systemic Deficits

The repeated cases of necrophilia in Bangladesh are not isolated criminal actions. These cases are the result of a synergistic failure between the existing legal framework and an institutional architecture without surveillance. This 'crimino-legal vacuum' makes it possible for the wrongdoers to act in ways that are against the law without fear of getting in trouble.

As previously noted, the current dependence on the inadequate sanctions of Section 297 and the complete omission of the offence from Section 377 creates a condition of legal impunity. People who commit crimes typically know that if they are caught, the punishment will not be too severe. The lack of deterrence is made worse by the fact that mortuary staff don't have to go through any kind of psychological screening or forensic psychiatric supervision. Without these therapeutic precautions, susceptible patients remain unmonitored and untreated, dramatically increasing the chance of recidivism within hospital settings.

In addition to the laws, the 'high-opportunity' atmosphere in government hospital made necrophilia more prone to happen. Unrestricted access to mortuaries, insufficient oversight, and the socio-economic unfair treatment of the *dome* community foster an environment encourage exploitation.

These events show that the Director General of Health Services (DGHS) of Bangladesh is not performing sincerely to oversee the Hospital administration. The ongoing vulnerability of deceased victims sharply indicates a systemic failure in the duty of care and the internal accountability of the healthcare setup in Bangladesh. This bipolar divide, where policy is quiet and enforcement is missing, shows how much we need a rights-based change in the way the culprits go punished. Bangladesh can only regain the trust of its people and defend the dignity of its citizens after death by fixing these structural problems.

Recommendations for Penal and Institutional Reforms

In order to address the existing legal vacuum and institutional deficiencies identified in this study, the following multi-dimensional reforms are proposed:

Legislative Actions: Criminalizing the sexual violation of a corpse is urgently needed. Relying on Section 297 of the Penal Code is inadequate because it has limited scope and weak penalties. A specific law should be enacted to ensure that no act of necrophilia goes unpunished. To reflect the gravity of the moral depravity and to deter the offence severely penalized sentencing must be included. It should carry a significant custodial in alignment with international standards found in other jurisdictions including the UK and Canada. However, the law must explicitly cover violations occurring in all settings, including government morgues, private hospitals, and funeral preservation facilities, closing the 'trespass' loophole in Section 297.

Institutional Reform: Securing the sanctity of the dead should be prioritized. The repeated incidents took place in government Medical College and Hospitals in Bangladesh indicate a severe lacking of administrative oversight. Morgue security protocols should be increased. Implementation of mandatory biometric access including CCTV surveillance in all mortuary facilities immediately should be ensured. Access to human remains should be restricted to authorized personnel under a 'two-person' rule to eliminate opportunities for deviant behavior. Staff professionalization and oversight should be prioritized. Moving beyond the 'occupational marginalization' of the *dome* community by providing formal training, ethical certification, and psychological support should be geared up. Standardizing the employment of mortuary assistants to include background checks and strict ethical oversight by the Health DG of Bangladesh.

Clinical Integration: Forensic psychiatric assessment should be included in controlling necrophilia. Necrophilia, as recognized a complex paraphilic disorder that requires a clinical response alongside a penal one. Mandatory screening process in prison system should be included. Integrating forensic psychiatric evaluations into the investigation process for all offenders. This ensures that the underlying psychological drivers are identified.

Constitutional and International Alignment: Legal reforms should be framed in alignment of Article 11 of the Constitution of Bangladesh, ensuring that the state-guaranteed human dignity mandate i.e. 'dignity and worth of the human person' extends post-mortem. By adopting the reforms claimed, Bangladesh will bridge the gap between its domestic laws and its obligations under international compliance like the ICCPR and the Geneva Conventions, which strictly prohibit the desecration of remains.

CONCLUSION

The repeated cases of necrophilia in Bangladesh indicates a serious failure and gross negligence of all the stakeholders responsible for maintaining law and orders. Sections 297 and 377 of the Penal Code have significant conceptual and practical limits. Because of this lacunae, the law offers neither effective prosecution of the wrongdoers nor real deterrence from necrophilia. In order to uphold the fundamental principle of human dignity beyond life, the government of Bangladesh must prioritize a comprehensive reform in the case of dealing necrophilia. In addition to calls for legislative action, there is a necessity of the Apex Court to ensure harmony with constitutional principles with international legal norms while adjudicating offence like necrophilia. Therefore, explicitly criminalizing necrophilia is both a constitutional requirement and an international legal obligation, highlighting the urgent need for penal reform in Bangladesh. Bangladesh can ensure justice for the deceased only through a modified and integrated approach in combination with enactment of specific criminal legislation, strong institutional safeguards, and forensic psychiatric oversight. It also helps Bangladesh uphold the sanctity of human remains and align its jurisprudence with modern global ethical standards.

REFERENCES

I. Primary Sources (Bangladesh Legislation & Constitution)

1. The Constitution of the People's Republic of Bangladesh, 1972.
2. The Penal Code 1860 (Act No XLV of 1860).
3. The Code of Criminal Procedure 1898 (Act No V of 1898).
4. The Prevention of Oppression Against Women and Children Act 2000 (Act No VII of 2000).

II. Primary Sources (International Instruments)

1. International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR).
2. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted 10 December 1984, entered into force 26 June 1987) 1465 UNTS 85.
3. Geneva Convention (I) Relative to the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 31.
4. UNESCO, 'Universal Declaration on Bioethics and Human Rights' (19 October 2005) SHS/EST/BIO/06/1.

III. Secondary Sources (Books & Journals)

1. Anil Aggrawal, *Forensic and Medico-legal Aspects of Sexual Crimes and Unusual Sexual Practices* (3rd edn, CRC Press 2010).
2. HH Risley, *The Tribes and Castes of Bengal* (vol 1, first published 1892, Firma Mukhopadhyay 1981).
3. Herodotus, *The Histories* (Aubrey de Sélincourt tr, Penguin Classics 1996).
4. Ibn Qudamah, *Al-Mughni* (vol 9, Dar 'Alam al-Kutub 1997).
5. John Breck, 'The Sacredness of the Human Body in Christian Ethics' (2005) 49 St Vladimir's Theological Quarterly 187.
6. Julius J Lipner, 'The Nature of Hindu Ethics' (1986) 7 Journal of Religious Ethics 234.
7. American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders* (5th edn, APA 2013).

IV. News Articles & Online Media

1. 'Egregious forms of sexual deviance and justice concerns in Bangladesh' *The Daily Star (Bangla)* (online, 23 October 2025) <https://bangla.thedailystar.net/news/bangladesh/crime-justice/news-708311> accessed 15 November 2025.
2. 'CMCH morgue guard arrested on charge of necrophilia' *The Business Standard* (online, 18 February 2022) <https://www.tbsnews.net/bangladesh/crime/cmch-morgue-guard-arrested-charge-necrophilia-377944> accessed 12 November 2025.
3. 'Physical Contact with the Corpse, Dom's Associate Arrested' *Prothom Alo* (online, 20 November 2020) <https://www.prothomalo.com/bangladesh/crime/fhcwo0d3tv> accessed 11 October 2025.