

Psychopathic Crimes: An Untouched Area In The Indian Criminal Justice System

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Abstract

The current paper aims to throw light on the debated concept of Psychopathy and the need to include psychopathic defence plea in the Indian Criminal Justice System. The research paper begins with explaining the concept of crime and criminals and then proceeds towards defining Psychopathy, its traits and various theories for the measurement of Psychopathy. In this study, along with the reports of International and National Commissions and Committees, help of various sources like the Case laws (India and Foreign), articles in law journals, law reviews, newspapers, internet, etc., is taken.

Keywords:- Psychopathy, Psychopathic Crimes, Psychopathic Criminals, Insanity Defence Plea, Indian Criminal Justice System, Delinquency.

Introduction

The term Delinquency is not a new phenomenon for the society and law. Delinquency is in existence since the birth of the society. We can easily find its reference even when the people were not very much familiar about law. Though the concept of delinquency and crime has changed with changing time and society, but the phenomenon of delinquency remains.

The concept of crime is closely related to the society. With the change in ideologies of the society the concept of crime also changes. That is to say, certain new crimes spring up whereas some existing crimes become obsolete and, therefore, they are deleted through adequate changes in the criminal law. For example in the 18th and 19th century the legislative measures to legalize abortions which were strictly illegal previously, in certain cases sufficiently reflects the changing

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concept of morality in Indian society. 21st century's hi-tech world and use of computer network has given rise to new types of crimes that is cyber crimes and other computer related unlawful activities. The criminalization of Indian politics in recent years has made the situation still worse as evinced by scams, corrupt practices, bomb-blasts, sex-scandals and all sorts of violent activities.²

Defining crime and criminal

A precise definition of delinquency and crime is by no means an easy task. Some define delinquency as minor crimes³, whereas some define delinquency as lawbreaker, offender, wrongdoer, culprit, criminal⁴. Delinquency when applied to a merchant, cannot mean anything less than that he has proved to be dishonest and attempted to evade the payment of his debts and delinquent means a person who fails to do his duty or commits an offence.⁵ Delinquency can also be defined as a general term for a failure of duty; often used as a euphemism for sexual misconduct by a minor girl⁶, a fault, a crime, failure to one's duty, neglect of duty, guilty, mislead and a delinquent a person who fails in his duty or commits an offence; an offender.⁷ Delinquency is a behaviour, especially of a young person, that is illegal or unacceptable to most people.⁸ In short it can be said that delinquency means a criminal or a bad behaviour which is illegal or unacceptable by the society at large.

In the ancient times, when society was simple, crimes were few. The use of violence against one's person or the abduction of one's female were probably the two earliest known crimes. As society progressed and the futility of such conflicts became more and more evident, - as the moral sense grew and the minds of men became more united on peaceful pursuits - there grew up

² N.V.Paranjape, *Criminology & Penology with Victimology* 6-7 (Central Law Publications, Allahabad, 15th edn., 2012)

³ Little Oxford Dictionary, 11th impression, 2010

⁴ Oxford Dictionary and Thesaurus III, 7th impression, 2006

⁵ Concise Law Dictionary, 3rd edition, 2011

⁶ Concise Legal Dictionary, 7th edition, 2004

⁷ Law Dictionary, 1st edition, 2001

⁸ Cambridge Advance Learner's Dictionary, 2nd edition, 2005

by degrees, the sense of responsibility which checked indiscriminate revenge giving birth to sanction and punishment.⁹

Even though many jurists and authors have attempted to define crime as best as they could, it is generally agreed that it is a very difficult task. **Russel** says, "*To define crime is a task which so far has not been satisfactorily accomplished by any writer. In fact criminal offences are basically the creation of the criminal policy adopted from time to time by those sections of the community who are powerful or astute enough to safeguard their own security and comfort by causing the sovereign power in the state to repress conduct which they feel may endanger their position.*"¹⁰ **Blackstone** defines crime as "*an act committed or omitted in violation of a public law forbidding or commanding it.*"¹¹ **Austin** is of the view that "*a wrong which is pursued by the sovereign or his subordinates is a crime.*"¹² **Kenny** as referred by T. Bhattacharya states that "*crimes are wrongs where sanction is punitive and is in no way remissible by any private person; but is remissible by crown alone, if remissible at all.*"¹³ Whereas **T. K. Banerjee** has stated that "*With exceptions crime was considered to be a wrong done to the injured party, not an offence against the State and punishment was regarded as the private right of the aggrieved party.*"¹⁴ This goes to prove that there is no single best definition of crime. But crime can be explained as a set of circumstances for which the law permits imposition of a criminal penalty. Thus, crime is not a natural phenomenon but a legal one; whatever the law makers define as crime is crime. Crime is not intrinsic; that is one cannot identify characteristics other than the law maker's fiat from which it is possible to distinguish criminal from non-criminal circumstances.¹⁵

Defining Psychopathy

The psychopath is not a person who can be readily recognized by physical symptoms that are seen within other types of mental illnesses or disorders. Although psychopaths cannot be readily

⁹ Hari Singh Gour, *Indian Penal Code* 3 (Law Publisher (India) Pvt. Ltd., Allahabad, 14th edn., 2011)

¹⁰ T. Bhattacharya, *Indian Penal Code* 1xxvii (Central Law Agency, Allahabad, 7th edn., 2013)

¹¹ *Ibid*

¹² *Ibid*

¹³ *Ibid*

¹⁴ V. D. Kulshrestha, *Landmark in Indian Legal and Constitutional History* 256 (Eastern Book Company, Lucknow, 9th edn., 2009)

¹⁵ J. P. S. Sirohi, *Criminology and Penology* 22 (Allahabad Law Agency, Faridabad, 6th edn., 2004)

recognized by any distinctive clinical symptoms, there are distinctive personality characteristics that make psychopathy uniquely different from other personality disorders.¹⁶ Psychopathy refers to a specific, yet controversial personality construct with a long history in the psychological and biomedical science. Although many definitions of psychopathy have been provided, most assert that psychopathic personality traits descriptions entails individuals (mostly males) who are aggressive, self centered, callous, guiltless, impulsive, sensation-seeking, interpersonally exploitive, deceptive, low in fear and anxiety, unable to learn socially approved ways of satisfying immediate needs, and unable to develop warm affective bonds with other persons.¹⁷ Psychopathy is traditionally defined as a personality disorder characterized by enduring antisocial behavior, diminished empathy and remorse, and disinhibited or bold behavior.¹⁸ Psychopath is a person suffering from a serious mental illness which makes them behave violently.¹⁹ A psychopath is a mentally deranged person especially with abnormal social behaviour²⁰, a person with a mental disorder characterized by an extremely antisocial personality which often leads to aggressive, perverted or criminal behaviour²¹, someone who is very mentally ill and usually dangerous.²² A psychopath is a person suffering from chronic mental disorder especially with abnormal or violent social behavior²³, a person who has no feelings for other persons, does not think about the future and does not feel bad about anything they have done in the past.²⁴ In short it can be said that a psychopath is a mentally ill person who is emotionless towards other persons.

Indian Criminal Justice System And Psychopathic Tendencies

There are murderers and then there are serial killers (Psychopaths). There's usually some sort of motive behind most homicides but when it comes to serial killers, motive gets replaced by this

¹⁶ Anh Vien and Anthony R. Beech, "Psychopathy: Theory, Measurement, and Treatment", in Anthony Wash and Craig Hemmens, *Introduction to Criminology* 285 (Sage Publications, Inc., 3rd edn., 2014)

¹⁷ Micheal G. Vaughn, Matthew O. Howard and Matt DeLisi, "Psychopathic personality traits and delinquent careers: An empirical examination", *International Journal of Law and Psychiatry*, 31(2008) at 407-408, *available at*: <http://www.soc.iastate.edu> (Visited on November 22, 2015)

¹⁸ *Available at*: <https://en.wikipedia.org/wiki/Psychopathy>, (Visited on November 22, 2015)

¹⁹ *Supra* note 2

²⁰ *Supra* note 3

²¹ *Supra* note 4

²² Cambridge Learner's Dictionary, 2nd edition, 2004

²³ Illustrated Oxford Dictionary, 2008

²⁴ *Supra* note 7

Psychological urge to kill; most of them devoid of any logical reason or personal vendetta against the victim.²⁵ Such a recent example was when in 2012, the capital of India "Delhi" was shook by the gang rape and murder of a 23-years-old medical student named as "Nirbhaya". Out of the six suspects accused of gang raping and murder one was a juvenile. The incident generated widespread national and international coverage and was widely condemned both in India and abroad.²⁶ A police spokesman said that the juvenile sexually abused the victim twice (raping her second time when she was unconscious) and ripped out her intestines with bare hands.²⁷ According to Hindustan Times, the charges against the juvenile shows he also suggested throwing her from the moving bus naked.²⁸ This brutal and barbaric act of the juvenile raised a question in the mind of million people "Was he a Psychopath?" Later on, a PIL was filed by a Chandigarh-based-lawyer, Shilpa Arora Sharma contending that the heinous act of the juvenile points to a possibility that he is a psychologically abnormal person and a threat to society and women and he should not be released and be kept in a place of strict detention.²⁹

But this is not only a single case of Psychopath. Moreover, there are various examples and cases of such Psychopaths in India such as Thug Behram³⁰, Surender Koli³¹, Charles Sobhraj³², Auto

²⁵ Raj Das, "16 Indian Serial Killers You'll Be Shocked To Know About. And Yes, One Of Them Is Just A Child", available at: <http://www.scoopwhoop.com/inthenews/gruesome-indian-serial-killers> (Visited on October 21, 2015)

²⁶ Available at: <http://en.wikipedia.org/wiki/2012-Delhi-gang-rape> (Last Modified November 6, 2015, at 14:46)

²⁷ Hannah Osborne, "Delhi Gang Rape: Youngest Attacker Ripped out Victim's Intestines with Bare Hands!" available at: <http://www.ibtimes.co.uk/delhi-gang-rape-juvenile-attacker-brutal-rape-420247> (Visited on October 18, 2015)

²⁸ *Ibid*

²⁹ Agencies, "SC Admits PIL Seeking Trial of Accused In the Other Five Men" *Bangalore Mirror*, January 18, 2013.

³⁰ Thug Behram also known as Buhram Jemedar and the 'King of the Thugs', was a leader of the Thuggee cult in Oudh in northern central India during the late 18th and early 19th century, and is often cited as one of the world's most prolific serial killers. He may have been involved in up to 931 murders by strangulation between 1790-1840 performed with a ceremonial cloth (or rumal, which in Hindi means handkerchief), used by his cult. Behram was executed in 1840 by hanging. Available at: http://en.wikipedia.org/wiki/Thug_Behram (Visited on October 18, 2015)

³¹ Koli worked as a domestic help in businessman Mohinder Singh Pandher's house in Noida. He is alleged to have sexually assaulted and killed as many as 15 children and three women in Noida sector-31 house within a span of one-and-a half years. In first of 19 cases in Nithari, Koli was convicted of raping and murdering a 14-year-old Rimpa Halder. Pandher and Koli were sentenced to death on February 13, 2009. Available at: <http://murderpedia.org/male.K/k/koli-surender.htm> (Visited on October 18, 2015)

³² Charles Sobhraj, also known as the Proofreader, is a French serial killer of Vietnamese and Indian origin, who preyed on Western tourists throughout Southeast Asia during the 1970's. Nicknamed "The Splitting Killer" and "The Serpent", due to his skill at deception and evasion, Sobhraj allegedly committed at least 12 murders, he retired as a

Shankar³³, Mohan Kumar alias Cyanide Mohan³⁴, Amandeep Sada (the youngest serial killer)³⁵, etc.,. But this is not the end. This list is ever-growing. India has his fair share of Psychopaths. Most often, they were eventually apprehended, but there are cases where the wrong person was arrested (and then let go) and then there are some cases that still remain unsolved³⁶ like Stoneman³⁷ and Beerman³⁸ and recent amongst all is the Kerala rape case (Jisha rape case). Jisha, a 27-year-old woman, was found murdered on April 28 at her home near a canal in Perumbavoor in Ernakulam by her mother who works as a casual labourer. The possibility that Jisha might have been sexually assaulted and the mutilation that her body bore has led some to compare the case with that of Jyoti Singh 'Nirbhaya' who was gang-raped and brutalised on

celebrity in Paris. He returned to Nepal and was arrested and tried there. Sobhraj received a sentence of life imprisonment. *Available at:* http://en.wikipedia.org/wiki/Charles_Shobhraj (Last Modified November 16, 2015)

³³ Auto Shankar is the nickname of Indian Serial killer Gowri Shankar. Shankar and his gang were found guilty of six murder, committed over a period of two years in 1988-1989. The bodies of the victims were either burnt or buried inside residential houses. *Available at:* <http://murderpedia.org/male/S/s/shankar-auto.htm> (Visited on November 18, 2015)

³⁴ Cyanide Mohan, is a serial killer who preyed women looking for marriage. A Mangalore fast track court tried and convicted him for murder of 20 women. He was accused of luring women who were unable to pay dowry or were unable to find suitable husbands. He would kill them by giving them cyanide pills, claiming they were contraceptives, and rob them of their jewelry. He was sentenced to death in December 2013. *Available at:* [http://en.wikipedia.org/wiki/Mohan_Kumar_\(serial_killer\)](http://en.wikipedia.org/wiki/Mohan_Kumar_(serial_killer)) (Last Modified on August 23, 2015)

³⁵ Amarjeet Sada (sometime referred as 'Amardeep' Sada) is the youngest known serial killer, having committed three murders at the age of 8. He was born in 1998 to an impoverished family in Begusarai, Bihar, India. His father is a laborer in the village of Musahri. In 2006 Amarjeet murdered his 6 month old cousin, the daughter of a maternal uncle. Shortly after, he murdered his own 8 month old sister. While Amarjeet's family and some villagers were aware of the child's involvement in these two murders, they were considered "family matters" and were unreported. In 2007, Amarjeet killed again, this time a neighbor's 6 month old daughter named Kushboo. *Available at:* <http://thepostmortempost.com/2015/05/04/where-are-the-now-a-mardeep-sada-the-worlds-youngest-serial-killer> (Visited on November 18, 2015)

³⁶ *Supra* note 56

³⁷ The Stoneman was a name given by the popular English language print media of Calcutta to an unidentified serial killer who murdered at least 13 homeless people of that city during their sleep in 1989. The Stoneman was blamed for 13 murders over six months (the first in June 1989), but it was never established whether the crimes were the handiwork of one person or a group of individuals. The Calcutta Police also failed to resolve whether any of the crime were committed as a copycat murder. To date, no one has been sentenced for these crimes, making this one of the greatest unsolved mysteries plaguing modern metropolitan Indian police forces. *Available at:* <http://en.wikipedia.org/wiki/Stoneman> (Last Modified November 10, 2015)

³⁸ Beerman is the name given to a suspected serial killer who murdered six people in south Mumbai, India, between October 2006 and January 2007. The nickname was gained due to beer bottles left beside each body, which was the only link between the deaths. In January 2008 Ravindra Kontrole was convicted of a seventh murder, that of a homeless man. He was charged with two other Beerman murders but cleared of any involvement, thus leaving the remaining six murders unsolved. In September 2009 The Bombay High Court acquitted Kantrole of any involvement in the murders due to lack of evidence. *Available at:* http://en.wikipedia.org/wiki/Beer_Man (Last Modified June 21, 2015)

December 16, 2012 in a moving bus in Delhi.³⁹ This ever-growing list raises the concern of the society as to what motivates psychopaths to kill and maim? How can someone be so brutal and animal like in their acts? How can many killers "seem so normal" before and after the crime giving no hint of the atrocities they are about to commit. As very rightly said by **Robert D. Hare** "*Psychopaths are found in every segment of society, and there is a good chance that eventually you will have a painful or humiliating encounter with one. Your best defense is to understand the nature of these human predators.....*"⁴⁰

Dennis Nilsen, a known serial killer once said, "*I wish I could stop but I would not. I had no other thrill or happiness.....I don't lose sleep over what I have done or have nightmares about it.....*"⁴¹ If we go by the words of Dennis Nilsen, then a question is raised as to why the Psychopaths can't control his or her impulse, identify with others and feel empathy for others? Why can the psychopath not conform his or her behaviour to social norms? The answer to these questions lies in the various theories of Psychopathy⁴² such as Arousal Theory⁴³, Neurobiological Theory⁴⁴, Amygdale Theory⁴⁵, Passive avoidance Theory⁴⁶ and Psychogenic

³⁹ Available at: <http://www.newindianexpress.com/states/kerala/Brutal-Rape-and-Murder-of-Jisha-in-Kerala-Galvanises-Politics/2016/05/03/article3413335.ece> (Visited on May 29,2016).

⁴⁰ Aman Amrit Cheema, "The Mask of Sanity(A Psychopath): Is there a need to include Psychological Defense Plea in Criminal Jurisprudence?", 10 Amy Law Review 65-66 (2014)

⁴¹ *Ibid*

⁴² *Ibid*

⁴³ Arousal theory suggests that psychopaths have a pathologically low level of autonomic and cortical arousal, and hyperactivity when compared to non-psychopathic individuals. Consequently, the psychopath will be in a chronic state of stimulation and sensation seeking and thus, explaining why psychopaths do not become automatically aroused to stimuli that would otherwise be stressful, exciting, or frightening to non psychopaths. This results in the psychopath needing a greater variety and intensity of sensory input to increase his or her arousal level to the optimum. The theory assumes that arousal level and sensory intake are dynamically related in such a way that an optimal level of arousal is maintained, in other words, a common level presumed to be functionally desirable for all individuals. However, when that level of arousal falls below the optimum, stimulation and/or sensation-seeking behavior and sensory intake increases dramatically to raise the arousal level to the desired optimum. When the arousal level rises above the optimum, the stimulation and/or sensation-seeking behavior and sensory intake attenuates and the level of arousal drops to the required optimal level. Available at: http://www.researchgate.net/publication/6999230_Psychopathy_Theory_Measurement_and_Treatment (Visited on December 6, 2015)

⁴⁴ One of the basic principles of neurobiology and/or neuropsychology is the notion that certain functions are, to some degree, localized within certain areas of the cerebral hemisphere, whereas others are lateralized to one hemisphere of the brain. This principle of the localization of functions has stemmed from the classical studies of

Factor Theory⁴⁷. All these theories suggest that the genetic makeup, the biological and psychological makeup, the economic conditions, environmental factors, etc, these all build up a psychopathic personality. Now the question arises that if the genetic makeup or neurobiological factors of the psychopath forces or pushes him to commit the psychopathic acts, can he or she be given this plea as a defense to his crime as insanity is a defense under the Indian criminal system? Can a psychopath be equated with an insane person? Another question is that is the punishment provided by the Indian Criminal Justice System sufficient to curb the psychopathic crimes? If not, then Is there a need to legislate a different kind of punishment?

patients with localized brain lesions who perform poorly on selected tasks and/or tests (Raine, 1993). There have been strong associations and a belief that psychopathic individuals are biologically different from the norm, in the sense that their brains are structurally different. Kiehl et al. (2004) used functional magnetic resonance imaging (fMRI) to clarify and characterize the neural architecture involved in the lexico-semantic processing in criminal psychopaths compared with a matched group of controls. Analysis revealed that psychopaths failed to show appropriate neural differentiation between abstract and concrete stimuli in the right anterior temporal gyrus and the surrounding cortex. Kiehl et al. (2004) concluded that semantic processing of abstract material in psychopathy is associated with abnormalities in the right hemisphere. However, Blair (2003) argued that the lifestyle of the psychopath may exacerbate neurobiological impairments, if any, rather than the impairments being defining at birth. Lifestyle habits, such as substance misuse would be more detrimental to neurological development than an innate impairment in the long term. *Supra* note 39 at 287

⁴⁵ Amygdala and other cortical dysfunction are closely associated between the difficulties that psychopaths have in emotional processing. There is now to a certain extent agreement that Amygdala dysfunction is the underlying neural structure responsible for the development of psychopathic tendencies. The Amygdala is an almond shaped mass of nuclei located deep within the temporal lobe of the brain. It is limbic system structure that is involved in many of our emotions and motivations particularly those that are related to the survival. It is also involved in several functions of the body including arousal, autonomic response associated with fear, emotional responses, hormonal secretions and memory. *Supra* note 70 at 69

⁴⁶ Although there is strong evidence linking psychopathy with neural and cerebral dysfunctions, there has been speculation that a certain element of learning is involved in the development of psychopathic personality and tendencies. Lykken (1957) used passive-avoidance learning tasks to demonstrate psychopaths poor avoidance learning. The tasks required the respondents to learn a "mental maze"; and at specific points the respondent had to choose a response from a possibility of four. The correct response from the four led to progression in the maze; however, one of the four responses led to an electric shock. The main observation of the study was the extent to which control respondents learned to passively avoid the electric shocks, whereas psychopaths made significantly more responses resulting in punishment, thus providing evidence of poor avoidance learning in psychopaths. *Available at:* http://www.researchgate.net/publication/6999230_Psychopathy_Theory_Measurement_and_Treatment (Visited on December 6, 2015)

⁴⁷ Studies reveal that psychogenic causes contribute to psychopathic development. Faulty family environment, complete or continuous absence of parents, parental loss, inability to form attachments to parents or other care givers early in life, sudden separation from mother during the first six months during the first few years of life, deficiency in childhood role playing, inability to identify with ones parents during childhood and adolescence and severe rejection by others, all these contribute towards psychopathic tendencies. *Supra* note 70 at 70

Psychopathic Crimes And Insanity Defence Plea

The foundation of the law of insanity was laid down by the house of Lords in 1843, in what is known as the *M'Naughten* case whereby it was held that to establish the defence of insanity, it must be clearly proved that at the time of committing the crime, the person was so insane as not to know the nature and quality of the act he was doing, or if he did know it, he did not know that what he was doing was wrong.⁴⁸

The insanity defence plea is contained in section 84 of the Indian Penal Code, 1860. The exception under the section is based on the principle that in order to constitute the crime the act should have been committed with a guilty intention, the doer of the act knowing the nature of the act or the wrongfulness of the act or the illegality of the act.⁴⁹ The most important ingredient of crime that is guilty mind is absent in the case of an insane person that is why it is included in the category of general defences. But this is not similar in the case of a Psychopathic criminal. The Psychopath knows the difference between the right and the wrong, yet emotionally lack the feeling of what is right and wrong. Unlike individuals with mental disorder such as schizophrenia or dementia who may have impaired cognitive capacity, psychopathic individuals understand that specific actions are against the law or violate social norms; however, although they may be able to make accurate judgements about legal or moral violations, they appear to lack an important factor that motivates individuals to behave morally- emotional capacity.⁵⁰ The discoveries of fundamental anatomical and physiological differences between the brains of psychopaths and non-psychopaths including non-psychopath criminals, providing the psychopathic traits may be inherited, has set the stage from arguments that even those who commit the worst of crimes should be held responsible. After all they did not choose their genetic makeup or to be born without the capacity for empathy.⁵¹

Now the question which arises is that, as the act done by these psychopathic criminals are not voluntary, should not the Indian Criminal Justice System be amended so as to include the

⁴⁸ Dr. K.I. Vibhute, *PSA Pillai's Criminal Law*, 137-138 (Lexis Nexis Butterworths, New Delhi, 2008)

⁴⁹ *Supra* note 8 at 227

⁵⁰ *Supra* note 39

⁵¹ *Ibid*

psychopathic tendencies amongst the ambit of insanity defence plea as provided under the section 84 of the Indian Penal Code, 1860?

Psychopathic Defence Plea : Need of Indian Criminal Justice System

Psychopathy is one of the most severe of all mental diseases. Though psychopaths are very dangerous and always commit heinous crime, they should be treated and handled properly. Life imprisonment and death sentence is not the only solution for this problem. Although they know what they are doing, but they do not know the reason behind that which means *mens rea* is completely absent in their act. Whatever crime or act they commit is due to their disease and not because of any guilty mind. This is a reason they never conceal their crime. They never show remorse of their action. There is not any sign of guilt or regret on their face whenever they are caught and they openly accept their criminal act without any repentant and sentiment. They always candidly accept their crime and desire to commit it again because of a strong urge to commit them which arises due to disease.⁵² Therefore, the need of hour is to include the psychopathic defence plea in the Indian Criminal Justice System. A proper treatment approach should be adopted towards psychopaths also as it is adopted in the case of insane criminals. They should also be subjected to mandatory behavioural studies by the criminologists and medical experts, it will not only lead to conclusions which will suggest the various causations of psychopathic crimes and their control measures but, will also help in finding out permanent solutions and medical advancements for this psychological disease.

Psychopaths should be properly recognized by the society. U.K., California and many other states in US have passed a special statute for psychopaths. Psychopathic behavior is an unidentified and unrevealed area in our judicial system. The step should be taken by our legal system to educate the public and government about this dangerous disease.⁵³

⁵² Priya Sepaha, "Psychopaths : An Unrevealed Area In Indian Judicial System", *available at* <http://www.manupatra.co.in/newslines/articles/Upload/1FCAC641-A31A-4A18-8F02-7BFAFE977E34> (Visited on June 12, 2016)

⁵³ *Ibid*