

Nimisha Priya Case In Yemen

Why In News

- Centre has approved **transfer of funds for preliminary discussions** regarding the release of Nimisha Priya from a Yemeni prison. *A sum of \$40,000* will be transferred to persons concerned via the Indian Embassy in Sana'a. Currently, Priya's mother is in Yemen, trying to waive her death penalty by paying "blood money" to the murdered man's family.



The Nimisha Priya case

- **After becoming a qualified nurse**, Priya moved to Yemen in 2008. In 2011, she married Tomy Thomas in Kerala, with whom she returned to Yemen. She worked as a nurse, while he worked as an electrician. Both, however, dreamt of starting their own clinic.
- But as per Yemeni law, this **required them to partner with a local**. This is where **Talal Abdo Mahdi** comes into the picture. A regular at the clinic where Priya worked as a nurse, the couple approached Mahdi for help.
- Mahdi even came to Kerala in 2015, to attend the baptism of Priya's daughter. While Priya returned to Yemen, the civil war prevented her husband and daughter from doing so. They remain in Kerala.



- In Yemen, **Mahdi decided to take advantage of Priya**. He opened a new clinic but refused to share his income with her. He also allegedly forged documents to show her as his wife. According to Priya's family, what followed was a cycle of physical and sexual abuse.
- Priya was unable to leave because Mahdi had taken all her travel documents and passports. He also did not allow her to speak to her family in Kerala.
- **One fine day, Priya, with the help of fellow nurse Hannan**, tried to allegedly sedate Mahdi, in order to obtain her papers.
- But an **overdose led to his death**. Panicking, the duo decided to chop Mahdi's body up, and dump it in a water tank. Both were eventually arrested.

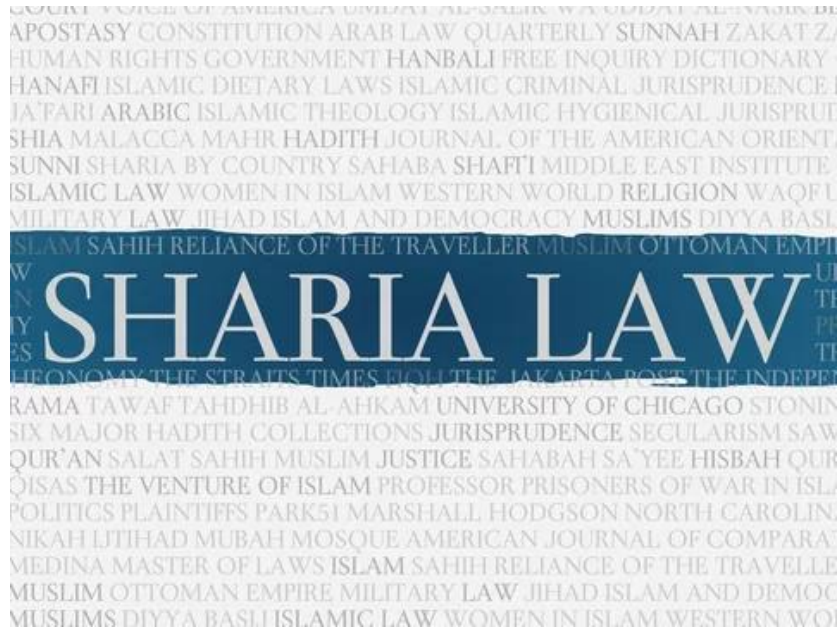


Diyya in Islamic law

- Currently, Priya's mother is in Yemen, trying to waive her death penalty by paying "blood money" to the murdered man's family.
- **According to Islamic law**, victims of crimes have a say in how criminals are to be punished. In case of murder, this principle applies to the families of victims. Although murder is punished via the death penalty, the victim's family (specifically, heirs) may **choose to "forgive" the murderer** in exchange for monetary compensation.



- This is the **principle of diyya**, or, as it is commonly referred to as, "blood money".
- It can be **traced to the Holy Quran**. "O believers! The law of retaliation is set for you in cases of murder — a free man for a free man, a slave for a slave, and a female for a female.
- But if the offender is pardoned by the victim's guardian, then **'blood money' should be decided fairly** and payment should be made courteously. This is a concession and a mercy from your Lord."
- Scholars believe that the idea behind this is to encourage the virtue of forgiveness, while also **providing reparative justice to the victims' family**. The scriptures do not set any specific amount as compensation, with the sum generally arrived at via negotiation between the murderer's family/representatives and the victim's family.



- **Some Islamic countries, however, have set minimum compensation amount.** The \$40,000 payment being made now is to get negotiations started. Eventually, Priya's family will likely have to pay close to \$300,000-\$400,000 to waive the death penalty. The 'Save Nimisha Priya International Action Council', formed in 2020, is in the process of raising required funds.

