



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL.O.P.No.15406 of 2026 and
CrI.M.P.Nos.10048 & 10051 of 2026

1. Sihaab
S/o.Hamsa, NO.7/382, Padanthorai,
Devarshoali, Gudalur.
2. Ferosekhan
S/o.Hasan, No.13/468, Kasimvayal,
Gudalur.
3. Syed Kuthbudheen
S/o.Syed Akbar, No.20/63, Mica
Mount, Gudalur.
4. Siyaabu
S/o.Musthafa, No.12/1046, Chembala,
Gudalur.
5. Abdhul Basheer
S/o.Abdul Azeez, No.11/207,
Chembala, Gudalur.
6. Anwar Sathick
S/o.Unni kutty, No.12/735, Vandipet,
Gudalur.
7. Abdhul Rahman
S/o.Aali, No.12/1044, First Mile,
Gudalur.
8. Mohammed
S/o.Ibrahim, No.12/1067, 2nd mile,
Gudalur.
9. Jafar
S/o.Abdul Azeez, Kasimvayal, Gudalur.



10. Asaar
S/o.Rafeeqe, No.13/430, Kasimvayal,
Gudalur.

11. Ummer
S/o.Mohammed, 16/57, Pitherkad,
Gudalur.

12. Jafar
S/o.Abbas, No.12/375, Iruvayal,
Thorapally, Gudalur.

13. Abdhul Saleem
S/o.Shahul Hameed, No.11/208, D1
Narthaki, Gudalur.

14. Jeseer
S/o.Veerankutty, No.7/390, Pallipady,
Gudalur.

15. Mohammed Salman
S/o.Abdhul Basheer, No.11/407,
Devarshoali, Gudalur.

16. Riyas
S/o.Saidalavi, No.10/298, Chembala,
Gudalur.

17. Rasaak
S/o.Veeran, No.16/319, Paakana,
Gudalur.

18. Venukumar
S/o.Maadhaiyan, No.8/32, Pallipady,
Nandhatty, Gudalur.

19. Subair
S/o.Hussain, No.11/44 I 9B, Chembala,
Gudalur.

20. Nowfel
S/o.Abdhul Rahman, No.319/2,
Thorapally, Gudalur.

21. Yousuf
S/o.Amsa, No.16/313, Paakana,



Gudalur.

22. Jamseer

S/o.Abu, No.12/126C, Athipally,

Gudalur.

23. Ibrahim

S/o.Mohammed, No.15/186, Athipally,

Gudalur.

24. Ummer

S/o.Mohammed Kutty, No.8/27,

Pallipady, Gudalur.

25. Abdhul Gafoor

S/o.Abdhul Azeez, No.13/341,

Kasimvayal, Gudalur.

26. Siddiq

S/o.Jainudheen, No.11/278D, T.K.Pet,

Gudalur.

27. Abdhul Manaab

S/o.Unni kutty, No.5/175, Kalampuzha,

Gudalur.

28. Mubarak

S/o.Kunji, Makamoola, Gudalur.

29. Aabith Ali

S/o.Aali, No.8/40A7, Mayfield,

Gudalur.

30. Praveen

S/o.Clement, Kokkal, Gudalur.

31. Jafar

S/o.Alavi, No.13/135, Nelakottai,

Gudalur.

32. Moosin

S/o.Mohammed Ali, No.21/515, 2nd

mile, Gudalur.

33. Mohammed Thousik

S/o.Moidheen, No.11/343, Kasimvayal,



Gudalur.

34. Latheef

S/o.Mohammed, No.12/35, Athipally,
Gudalur.

35. Abdul Basheer

S/o.Veera Unni, No.12/1019-A, 1st
Mile, Gudalur.

36. Babu

S/o.Bashabaaai, No.12/81-B1, Athipally,
Gudalur.

37. Siddiq Ali

S/o.Babu, No.12/67, Athipally, Gudalur.

38. Sirajudheen

S/o.Abubakkar, No.12/735-C7A1,
Chevidipettai, Gudalur.

39. Akkram

S/o.Ussain, No.15/27, Athipally,
Gudalur.

40. Ali

S/o.Mohammed, Pitherkad, Nelakottai.

41. Yonus

S/o.Mohammed, No.16/829, Pakkanna,
Nelakottai, Gudalur.

42. Abdhul Azeez

S/o.Moidhu, No.15/24, Athipally,
Gudalur.

43. Siyabudheen

S/o.Amsa, No.14/191, Athipally,
Gudalur.

44. Mohammed

S/o.Hassankoya, No.3/955, Kammathi,
Srimadurai, Gudalur.

45. Seepan

S/o.Abdhul Rahamad, No.12/832,



Devarshoali, Gudalur.

46. Nafeek Basha

S/o.Sheik Ahamed Basha, No.12/372

E3G, Thorappally, Gudalur.

47. Shakeer

S/o.Abdhul, No.5/50, Melgudalur,
Gudalur.

48. Mujeeb

S/o.Abu, No.2/242, Melgudalur,
Gudalur.

49. Rafeeq

S/o.Mohammed, No.5/86, ChungM,
Gudalur.

50. Shibin

S/o.Amsa, No.16/275, Pandhalur,
Gudalur.

51. Nowfel Riswan

S/o.Ummer, No.12/26, Pallipadi,
Gudalur.

52. Junaidh

S/o.Ummer, No.21/132, 1st Mile,
Gudalur.

53. Jahir Husain

S/o.Hamsa, No.11/340 F7, Kasimvayal,
Gudalur.

Petitioner(s)

Vs

1. State rep.by its,
The Sub-Inspector of Police, Gudalur
Police Station, The Nilgiris district.
Cr.No.228/2025.

Respondent(s)

For Petitioner(s): I.Abdul Basith

For Respondent(s): M/s.A. Amarnath GA (Crl. Side)



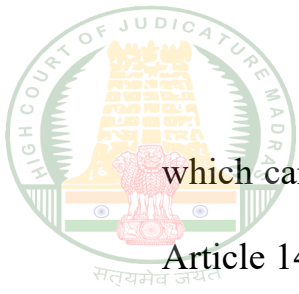
ORDER

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The petitioners, who are A1 to A53 facing trial for offence under Sections 189(2), 126(2) & 329(3) of BNS in S.T.C.No.512 of 2025 before the learned Judicial Magistrate, Gudalur, have filed this Quash Petition.

2.The case of the prosecution is that on 11.08.2025 at about 04.30 p.m., the petitioners unlawfully assembled and protested against the State Government condemning the Forest Department for its negligence and indifferent attitude and inaction towards increasing wildlife incursions and their disregard for human life and safety. Therefore, a case in Crime No.228 of 2025 registered by the respondent Police for the offences under Sections 189(2), 126(2) and 329(3) BNS. After completion of investigation, final report filed and the same was taken cognizance in S.T.C.No.512 of 2025 by the learned Judicial Magistrate, Gudalur.

3.Learned counsel for the petitioners submitted that the petitioners, the villagers for the inaction of the forest officials to save the village from the menace of the wild and for not taking effective steps to save the wild and restrict their movement to the human habitat, despite several petitions and representations, left with no other option to show their protest, gain attention of the officials, to act immediately to save the villagers and village, they held a peaceful protest which is their fundamental right enshrined in Constitution



which cannot be termed as offence. The petitioners' right are guaranteed under Article 14, 19, 20(1) and 21 of Constitution of India.

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4.Learned counsel appearing for the petitioners submitted that the facts of the instant case are similar to the facts of the cases in ***Jeevanandham and others vs. The Inspector of Police, Velayuthampalayam Police Station, Karur District*** reported in (2018 2 LW (Crl) 606) and ***Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and others (Crl.O.P(MD) No.7922 of 2019, decided on 30.08.2019)***, in which the proceedings were quashed. Hence, he prayed to quash the proceedings pending against the petitioners.

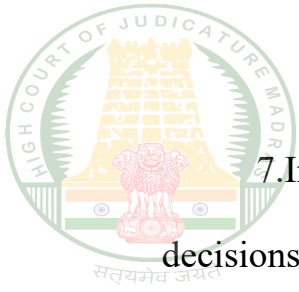
5.Learned Counsel for Government of Tamil Nadu (Criminal Side) submitted that the Police were keeping a watch near Sungam and Vandipet areas at about 04.00 p.m. The petitioners belong to SDPI Political party assembled violating the prohibitory order, caused obstruction for free movement of public and vehicles, raised slogans, hence, a case registered, investigation conducted, statement of witnesses recorded and charge sheet filed listing LW1 to LW14 with materials before the learned Judicial Magistrate, Gudalur. The learned Magistrate. on perusal of the charge sheet, took cognizance in S.T.C.No.512 of 2025 for offence under Sections 189(2), 126(2) & 329(3) of BNS. The points raised by the petitioner are factual in nature which has to be decided only during



trial, hence, he seeks dismissal of this petition.

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6. Considering the submissions and on perusal of the materials, it is seen that the petitioners resident of Gudalur village earlier made a request to hold a protest against the forest officials for not taking steps to save the residents of Gudalur from the attack of wild forest animals. The residents gave several representations but no action by the forest officials. The residents of Gudalur suffered life and property damage and they were residing in fear. Hence, they sought permission to hold peaceful protest to gain attention of officials. Showing protest is a hallmark of democratic right. In this case, the petitioners about 53 in number had shown protest and raised slogans, nothing more. In this case, the specific allegation is that they obstructed movement of public, tourist and vehicles. From the charge sheet, out of 14 listed witnesses, four are Police personnels and another four are Forest Officials and only LW10 to LW13 are private persons. No public made any complaint of any disturbance. Showing protest cannot straightway be termed as commission of any offence. The petitioners were only holding protest in a democratic manner on the side of the road to save them and their property from wild attack. Thus, taking the complaint and the materials, uncontroverted as a whole, then to no offence is made out.



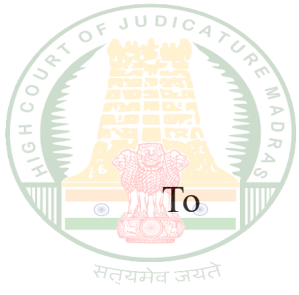
7. In view of the above narration and following the principle of the above decisions, no purpose will be served by keeping the proceedings pending.

Hence, the proceedings against the petitioners is liable to be quashed.

8. Accordingly, the Criminal Original Petition stands allowed and the proceedings in S.T.C.No.512 of 2025 pending on the file of the Judicial Magistrate, Gudalur, is hereby quashed against the petitioners. Consequently, the connected miscellaneous petitions are closed.

18-06-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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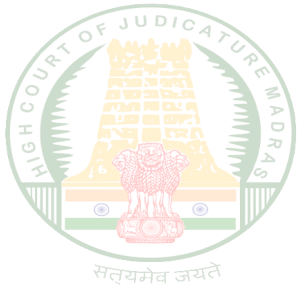


CRL.O.P.No.15406 of 2



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1. The Sub-Inspector of Police, Gudalur
Police Station, The Nilgiris district.
2. The Judicial Magistrate,
Gudalur.
3. The Public Prosecutor,
Madras High Court.



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CRL.O.P.No.15406 of 2



M.NIRMAL KUMAR J.

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CRL OP No. 15406 of
2026

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