

This translation consists of
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**CERTIFIED TRANSLATION
FROM THE CROATIAN LANGUAGE
DECISION**



(The coat of arms of the Republic of Croatia)
Republic of Croatia
Municipal court in Gospić
Trg Alojzija Stepinca 3

No.: Kov-182/2025-11

REPUBLIC OF CROATIA
DECISION

The Municipal court in Gospić, sitting in a panel composed of judge Dubravka Rukavina, the president of the panel, and the judges of this court Jurica Bakmaz and Mirjana Kosanović as members of the panel, with the participation of court reporter Marija Potnar, in the criminal case against the defendant, Kevin Antonius Maria Grootenboer, for the criminal offence under Article 326, paragraph 1 of the Criminal code (Official Gazette no. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/21, 114/22, 113/23, 36/24, 136/25 – hereinafter: CC/11), after the panel session held on 21 May 2026, examining the merits of the indictment

d e c i d e d

pursuant to Article 354, paragraph 1 of the Criminal procedure code (Official Gazette no. 152/08, 76/09, 80/11, 121/11, 91/12 – Decision of the Constitutional Court of the Republic of Croatia, no. 143/12, 56/13, 145/13, 152/14, 70/17, 126/19, 130/22, 80/22, 36/24, 72/25, 13/26 – hereinafter: CPC), to c o n f i r m the indictment issued by the Municipal State Attorney's Office in Gospić no. KO-DO-217/2025 of 21 November 2025 against the defendant, Kevin Antonius Maria Grootenboer, for the criminal offence against public order – illegal entry, movement, and residence in the Republic of Croatia, other European Union Member State, or signatory of the Schengen Agreement, described and punishable under Article 326, paragraph 1 of the Criminal code (Official Gazette no. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/21, 114/22, 114/23, 36/24 – hereinafter: CC/11).

E x p l a n a t i o n

1 Criminal proceedings are currently pending before this court pursuant to the indictment issued by the Municipal State Attorney's Office in Gospić no. KO-DO-217/2025 of 21 November 2025 against the defendant, Kevin Antonius Maria Grootenboer, for the criminal offence against public order – illegal entry, movement, and residence in the

Republic of Croatia, other European Union Member State, or signatory of the Schengen Agreement, described and punishable under Article 326, paragraph 1 CC/11.

2 The indictment was served on the defendant, Kevin Antonius Maria Grootenboer for response, who did not submit a response to the indictment.

3 Pursuant to Article 348, paragraph 2 CPC, a panel session was held on 21 May 2026 for the purpose of examining the indictment.

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4 The indictment of the Municipal State Attorney's Office in Gospić is based on the police report, the certificate of temporary seizure of an item – the passenger vehicle, the record of temporary seizure of an item, record of the inspection of the passenger vehicle with photographs from the inspection, record of the first questioning of the defendant with the video recording, and statements about the personal data of the foreigners, on the basis of which the prosecution considers that there exists a reasonable suspicion that the defendant, Kevin Antonius Maria Grootenboer, committed the criminal offence charged in the indictment.

5 The indictment is well-founded.

6 Upon examining the indictment, it was established that the indictment had been filed by an authorised prosecutor, that it had been brought following compliance with the legal requirements, and that it had been properly drafted and filed within the time limit prescribed by law, having reviewed the case file in its entirety, and the evidence contained in the file, the indictment panel finds that the indictment is supported by evidence of the requisite quality and quantity from which a relevant degree of reasonable suspicion arises that the defendant committed the criminal offence with which he is charged, the court will assess the evidence proposed by the defence during the trial proceedings, to ensure the adversarial examination of the case, and render a lawful and well-founded judgment.

7 In view of the foregoing, it was decided as set out in the operative part of this decision, and confirm the indictment issued by the Municipal State Attorney's Office in Gospić no. KO-DO-217/2025.

In Gospić, 21 May 2026

President of the indictment panel
Dubravka Rukavina
(eSignature of the president of the indictment panel)

INSTRUCTIONS ON THE RIGHT TO APPEAL: Appeal against this decision is not permitted
(Article 491, paragraph 2 CPC).

To be delivered to:

1 Municipal State Attorney's Office in Gospić, via file no. KO-DO-217/2025

2 Defendant, Kevin Antonius Marie Grootenboer, the Kingdom of the Netherlands,
Dommelen, Mulderwei 12 – after the translation

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I, Mirna Merdić, certified court interpreter for English language, as appointed by the Decree of the Minister in charge of justice affairs in the Republic of Croatia, Class: UP/I-710-02/24-01/153, Reg. No.: 514-03-04/01-25-12 of February 22, 2025, do hereby certify that the above translation fully corresponds to the original document written in the Croatian language.

Korenica, 5 June 2026

Certification No.: 79/2026





Republika Hrvatska
Općinski sud u Gospiću
Trg Alojzija Stepinca br. 3

Poslovni broj: Kov-182/2025-11

REPUBLIKA HRVATSKA RJEŠENJE

Općinski sud u Gospiću u optužnom vijeću za sastavljenom od sutkinje Dubravke Rukavina kao predsjednice vijeća i sucima ovog suda Jurica Bakmaz i Mirjana Kosanović kao članovi vijeća uz sudjelovanje Marije Potnar kao zapisničarke, u kaznenom predmetu protiv okrivljenika Kevina Antoniusa Marie Grootenboera zbog kaznenog djela iz članka 326. stavak 1. Kaznenog zakona (Narodne novine br. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/21, 114/22, 113/23, 36/24, 136/25-dalje KZ/11), nakon održane sjednice optužnog vijeća povodom ispitivanja optužnice dana 21. svibnja 2026.,

r i j e š i o j e

Temeljem odredbe članka 354. stavak 1. Zakona o kaznenom postupku ("Narodne novine" broj 152/08., 76/09., 80/11., 121/11., 91/12. – Odluka Ustavnog suda Republike Hrvatske broj 143/12., 56/13., 145/13., 152/14., 70/17., 126/19., 130/22., 80/22., 36/24., 72/25, 13/26– dalje: ZKP-a), p o t v r đ u j e se optužnica Općinskog državnog odvjetništva u Gospiću br. KO-DO-217/2025 od 21. studenoga 2025., protiv okrivljenika Kevina Antoniusa Marie Grootenboera zbog kaznenog djela protiv javnog reda – protuzakonitim ulaženjem, kretanjem i boravkom u Republici Hrvatskoj, drugoj državi članici Europske unije ili potpisnici Šengenskog sporazuma, opisano i kažnjivo po članku 326. stavku 1. Kaznenog zakona ("Narodne novine" broj 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/21, 114/22, 114/23, 36/24 – dalje KZ/11).

Obrazloženje

1. Kod ovog suda u tijeku je kazneni postupak povodom optužnice ODO u Gospiću br. KO-DO-217/2025 od 21. studenoga 2025., protiv okrivljenika Kevina Antoniusa Marie Grootenboera zbog kaznenog djela protiv javnog reda – protuzakonitim ulaženjem, kretanjem i boravkom u Republici Hrvatskoj, drugoj državi članici Europske unije ili potpisnici Šengenskog sporazuma, opisano i kažnjivo po članku 326. stavku 1. KZ/11.

2. Optužnica je dostavljena na odgovor okrivljeniku Kevinu Antoniusu Marieu Grootenboeru, koji nije dostavio odgovor na optužnicu.

3. Sukladno odredbi članka 348. stavak 2. ZKP-a, održana je sjednica vijeća na dan 21. svibnja 2026., a poradi ispitivanja optužnice.

4. Optužnicu ODO u Gospiću temelji na izvješću o postupanju policijskih službenika, potvrdi o privremenom oduzimanju predmeta – osobnog automobila, zapisnika o privremenom oduzimanju predmeta, zapisnika o očevidu na osobnom automobilu sa fotografijama očevida, zapisnika o prvom ispitivanju okrivljenika sa snimkom, te izjavama osobnim podacima stranca, osnovom kojih tužitelj smatra da proizlazi osnovana sumnja da je okrivljenik Kevin Antonius Marie Grootenboer počinio kazneno djelo koje mu se stavlja na teret optužnicom.

5. Optužnica je osnovana.

6. Provedenim ispitivanjem optužnice ustanovljeno je da je optužnica podignuta od strane ovlaštenog tužitelja, da je podignuta nakon ispunjenja zakonskih uvjeta, te je propisno sastavljena i u roku predviđenim zakonom, stoga nakon izvršenog uvida u cjelokupan spis te priložene dokaze u spisu, optužno vijeće cijeni da se podignuta optužnica temelji na potrebnoj kvaliteti i kvantiteti dokaza iz kojih proizlazi relevantan stupanj postojanja osnovane sumnje, da je okrivljenik počinio kazneno djelo koje mu je stavljeno mu na teret, dok će sud u postupku rasprave cijeliti dokaze predložene od obrane, omogućiti kontradiktornost raspravljanja i donijeti na zakonu valjanu i osnovanu presudu.

7. Slijedom navedenog, valjalo je riješiti kao u izreci rješenja i potvrditi optužnicu ODO-a u Gospiću broj KO-DO-217/2025.

U Gospiću, 21. svibnja 2026.

Predsjednica optužnog vijeća:
Dubravka Rukavina

DUBRAVKA RUKAVINA



Elektronički potpisano: 28.05.2026T14:25:05 (UTC:2026-05-28T12:25:05Z)

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Općinski sud u Gospiću



UPUTA O PRAVNOM LIJEKU:

Protiv ovog rješenja žalba nije dopuštena (članak 491. stavak 2. ZKP-a).

O tom priopćenje:

1. ODO u Gospiću, na broj KO-DO-217/2025
2. Okrivljenik Kevin Antonius Marie Grootenboer, Kraljevina Nizozemska, Dommelen, Mulderwei 12 – po prijevodu

Broj zapisa: 9-30888-77dca

Kontrolni broj: 078bf-4f80c-16489

Ovaj dokument je u digitalnom obliku elektronički potpisan.

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