



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KITUI**

**ADOPTION CAUSE NO. 1 OF 2018**

**IN THE MATTER OF BABY MF**

**ON APPLICATION FOR AN ADOPTION ORDER**

**AND**

**IKM)**

**JKN).....APPLICANTS**

**J U D G M E N T**

1. **IKM** and **JKN** approached this Court by way of Originating Summons seeking to adopt **Baby MF** to be known as **MMK** and to have **SMM** appointed the Legal Guardian of the child.

2. The Applicants, a soldier and teacher respectively are Kenyan Citizens above the age of 21 years and below the age of 65 years.

3. The subject child was abandoned by his mother at a day care centre in **Ichunga** on the 6<sup>th</sup> day of **August, 2015**. On the 8<sup>th</sup> **August, 2015**, the proprietor of the **Bee Bob Baby Care Centre** reported the case to the Equator Police Base a report that was booked in **OB No. 2** of the 9<sup>th</sup> day of **August, 2015**. Subsequently, the child was admitted at **Neema House IRC**. He was presented before the **Chief Magistrate's Court, Nanyuki** which committed him to the same home where he stayed for three (3) years prior to being declared free for adoption per Certificate No. **001755** dated the 29<sup>th</sup> day of **July, 2016** issued by the **Little Angles Network Adoption Society**.

4. The case was investigated by the children services. Per the report filed by **Francis Kariuki** the **Sub-County Children's Officer, Masinga** observed that the prospective adoptive parents (Applicants) have bonded with the child. They are financially stable, responsible and religious. He recommended that the Applicants were well suited for adoption.

5. This is a child who was abandoned therefore the consent of his mother is dispensed with. The child was abandoned, it will be in his best interest to be provided with a home. In the premises I allow the application and grant orders thus:

(i) The Applicants be and are hereby authorized to adopt **Baby MF** who shall henceforth be known as **MMK**.

(ii) **SMM** is appointed as the Legal Guardian.

(iii) The Registrar General shall enter the Adoption Order in the Adoption Register.

(iv) The Guardian ad litem is hereby discharged.

6. It is so ordered.

**Dated, Signed and Delivered at Kitui this 28<sup>th</sup> day of November, 2018.**

**L. N. MUTENDE**

**JUDGE**