



**In re AM (Child) (Adoption Cause E018 of 2025)
[2025] KEHC 19105 (KLR) (18 December 2025) (Judgment)**

Neutral citation: [2025] KEHC 19105 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MACHAKOS
ADOPTION CAUSE E018 OF 2025
EN MAINA, J
DECEMBER 18, 2025
IN THE MATTER OF THE CHILDREN ACT, 2022
AND
IN THE MATTER OF AM (CHILD)
AND
IN THE MATTER OF APPLICATION FOR ADOPTION BY:**

IN THE MATTER OF

**AMN 1ST APPLICANT
HKK 2ND APPLICANT**

JUDGMENT

1. The subject in these proceedings is a female child now aged one and a half years, (estimated to have been born on 11th May 2024). She was found abandoned in an unfinished septic tank near [Particulars Withheld] School at Tuffoam Sabaki in Athi River within Machakos County 11th May 2024 at around 1 p.m. The child was rescued by good Samaritans, namely JM of Mobile No. 0795XXXX and PM of mobile No. 0725XXXX who made a report of the child’s abandonment at the Athi River Police Station vide OB 14/11/05/2024. The child was taken to Kitengela Sub-County for assessment and medical attention on the same date whereby she was admitted and later discharged on 13th May 2024. Upon discharge from Kitengela Sub-County Hospital, the child was temporarily placed at the Mahali Pa Maisha Infant Rescue Center for care and protection as the police continued with investigations on the whereabouts of the parents.
2. Subsequently, on 8th July 2024, the Mavoko Children Court committed the child to Mahali pa Maisha Infact Rescue Center for care and protection vide Care and Protection Case No. E036 of 2024.



3. Comprehensive investigations were conducted by the police to trace the child's family as confirmed by letter from Athi River Police Station dated 16th November, 2024 which indicates that no one claimed the abandoned child or expressed any interest hence their efforts to trace the child's kin were futile.
4. In a meeting held on 20th November 2024, the case Committee of Buckner Kenya Adoption Services (BKAS) declared the child free for adoption and issued a Certificate No.08XXXX to that effect.
5. The Applicants AMN and HKK made a joint adoption application to Buckner Kenya Adoption Services on 4th January 2024 with an intention of being ratified for placement with a female child aged below 2 years with a view of eventually adopting the child. In a case committee sitting on 22nd March 2024 the Buckner Kenya Adoption Services assessed their application and were satisfied that the Applicants were fit to adopt a child of their preferred age and sex. The Applicants were subsequently placed with the child herein Baby AM by Buckner Kenya Adoption Services on 2nd December, 2024. The Applicants have been fostering the child since then.
6. The Applicants are residents of Machakos Town within Machakos County. They are a couple having solemnized their marriage on 3rd April 2021 vide the Certificate of marriage entry No. [Particulars Withheld]XXXX. The Applicants do not have any biological child of their own but are desirous of being parents to nurture and to exercise parental responsibilities. They live in a rented two bedroomed house at Machakos near [Particulars Withheld] Hotel with all amenities provided and the environment is conducive for a growing child. The male Applicant is a Teacher working at [Particulars Withheld] Academy while the female Applicant is a Clergy with [Particulars Withheld] Church therefore they are stable financially as they have an income from both employment and the business.
7. The Applicants extended family is also supportive of the adoption and the Applicants have proposed BM and EK (aunt to the female applicant) as the legal guardians. The applicants friends and the church are also supportive of the adoption.
8. The following reports have been duly filed in regard to the adoption.-
 - a. Report of the Guardian Ad Litem dated 17th November 2025.
 - b. Reports from the Buckner Kenya Adoption services Society declaring the child free for adoption and also Recommending the adoption dated 15th September, 2025.
 - c. Report of the Directorate of Children's Services Sub-County Children Services – Machakos County also Recommending the adoption dated 9th October, 2025.
 - d. Affidavit of EMK and BMM & to act as the Legal Guardians sworn on 26th May 2025.
 - (e) Letters of Recommendation from the [Particulars Withheld] Church.
9. All the reports recommend this adoption which is family based and local. The child has been under the continuous care of the Applicants since 2nd December, 2024 and they have bonded well and the Guardian ad litem highly recommends them as adoptive parents.
10. Having carefully considered all the material before me, I am satisfied that the application meets the conditions of part XIV of the *Children Act* and is in the best interest of the welfare of the child. The Applicants fully understand the implications of an order of adoption and have already assumed their responsibilities towards the child. They have also met all the conditions of an adopters as set out in the Act.
11. Accordingly, the application is allowed and orders are granted as follows: -



1. That the Applicants AMN and HKK be and are hereby allowed to adopt the child and an adoption order shall issue.
2. That the child shall now be known as PMM.
3. The child's date of birth shall be 11TH MAY 2024.
4. That EMK and BMM be and are hereby appointed as the Legal Guardians of the child.
5. That the Guardian Ad Litem is hereby discharged.
6. That this adoption order shall be lodged with the Registrar General and the Registrar General is hereby directed to enter the adoption in the Adopted Children Register.

It is so ordered.

JUDGMENT DATED, SIGNED AND DELIVERED VIRTUALLY ON THIS 18TH DAY OF DECEMBER, 2025.

E. N. MAINA

JUDGE

In the presence of:

Mr. Kimenyi for the Applicants

AMN

HKK

Geoffrey – Court assistant/Interpreter

