



In re Baby NJ alias Abandoned Male (Child) (Adoption Cause E010 of 2024) [2025] KEHC 313 (KLR) (24 January 2025) (Judgment)

Neutral citation: [2025] KEHC 313 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MACHAKOS
ADOPTION CAUSE E010 OF 2024
EN MAINA, J
JANUARY 24, 2025
IN THE MATTER OF THE CHILDREN ACT, 2022
AND
IN THE MATTER OF BABY NJ ALIAS ABANDONED MALE (CHILD)**

IN THE MATTER OF

SMM 1ST APPLICANT

JMM 2ND APPLICANT

JUDGMENT

1. The child in this matter, a boy now aged two (2) years, was rescued by a good Samaritan, one David Onyango of Davisha Health Care upon being abandoned there by his mother on 4th September, 2022.
2. The incident was reported to the New Lucky Summer Police Post within whose locality the abandonment had occurred and the child was taken to the Ruaraka Uhai Neema Hospital where he was admitted to the paediatric ward for treatment. He was discharged on 16th September, 2022.
3. On 22nd February, 2023 the child, by then named Baby NJ was committed to the Rehema PEFA Home by the Children’s Court. Subsequently, on 3rd August 2023 he was placed in the custody of the Applicants who had expressed willingness to adopt a child. The child was never claimed.
4. The Applicants have been married to each other under Kamba Customary Law for the last six (6) years. Their marriage is registered under the Marriage Act and they have obtained a Marriage Certificate.
5. The Applicants are both gainfully self-employed and currently have no biological children of their own.
6. The following reports have been duly filed in regard to the adoption. -
 - a. Report of the Guardian Ad Litem



- b. Report of the Adoption Agency – Buckner Kenya Adoption Services
 - c. Report of the Directorate of Children’s Services – County Coordinator Children Services
 - d. Consents of CMM and NM to act as Legal Guardians.
7. All the filed Reports recommend this adoption which is within a family. The child has been under the continuous care of the Applicants for the last 1½ years and they come highly recommended as adoptive parents for the child and having carefully considered all the material before me, I am satisfied that the adoption is in the best interest of the child. The Applicants fully understand the implications of an order of adoption and have already assumed their responsibilities. In the premises, I grant the orders sought in the application.
8. The child will now be known as ANM.

It is so ordered.

JUDGMENT DATED, SIGNED AND DELIVERED VIRTUALLY ON THIS 24TH DAY OF JANUARY, 2025.

E. N. MAINA

JUDGE

24/01/2025

In the presence of:

Ms Muhanda Advocate for the Applicants

Patrick – Court Assistant

Sylvanus Muange – 1st Applicant

