



In re Baby BM - Abandoned Female (Child) (Adoption Cause E028 of 2024) [2025] KEHC 1301 (KLR) (27 February 2025) (Judgment)

Neutral citation: [2025] KEHC 1301 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MACHAKOS
ADOPTION CAUSE E028 OF 2024**

EN MAINA, J

FEBRUARY 27, 2025

IN THE MATTER OF BABY BM - ABANDONED FEMALE (CHILD)

AND

IN THE MATTER OF AN APPLICATION OF ADOPTION BY:

IN THE MATTER OF

JNN 1ST APPLICANT

EMM 2ND APPLICANT

JUDGMENT

1. The child in this matter, a girl now aged about (six) 6 years, was rescued by police officers on patrol at Makongeni Phase six on 27th July 2018 and taken to Thika Level 5 Hospital.
2. The incident was reported to Makongeni Police Station within whose locality the abandonment had occurred. After the medical checkup at the Thika Level 5 Hospital the child was admitted to Macheo Children’s Centre for care and protection and was on 17th August 2018.
3. On 27th November 2018 the child, was committed to Macheo Children Centre for care and Protection at the Thika Children’s Court vide Protection and care No.199 of 2018. Subsequently, on 30th September, 2019 the minor 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 Twenty four (24) 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 – Kenya Children’s Homes Adoption Society.
 - c. Report of the Directorate of Children’s Services – County Coordinator Children Services
 - d. Consents of JMN and MNM 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 5 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 AMN.
9. JMN and MNM are hereby appointed to act as Legal Guardians for the minor.
It is so ordered.

JUDGMENT DATED, SIGNED AND DELIVERED VIRTUALLY ON THIS 27TH DAY OF FEBRUARY, 2025.

E. N. MAINA

JUDGE

27/02/2025

In the presence of:

Mr. Nagwere holding brief for Miss Mbuvi for the Applicants

Geoffrey – Court Assistant

Applicants – Both Absent

