



**In re MA (Baby) (Adoption Cause E245 of 2024)  
[2025] KEHC 8014 (KLR) (Family) (29 May 2025) (Judgment)**

Neutral citation: [2025] KEHC 8014 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

**FAMILY**

**ADOPTION CAUSE E245 OF 2024**

**SN RIECHI, J**

**MAY 29, 2025**

**IN THE MATTER OF ADOPTION OF BABY MA**

**IN THE MATTER OF**

**JKK ..... 1<sup>ST</sup> APPLICANT**

**CWM ..... 2<sup>ND</sup> APPLICANT**

**JUDGMENT**

1. The Applicants JKK and CWM are in a monogamous marriage which was solemnized on 8<sup>th</sup> December 2012 at ACK St. Anne Mwiki Parish as evidenced by a copy of their marriage certificate serial number XXXXXXXXX attached to the application.
2. The 1<sup>st</sup> applicant JKK is a Kenyan Citizen aged 47 years old born on 21<sup>st</sup> August, 1977 as evidenced by a copy of his National Identification Card number XXXXXXXXX attached to the summons. The 2<sup>nd</sup> applicant CWM, is a Kenyan Citizen aged 50 years old born in 1974 as evidenced by a copy of her national identification card number XXXXXXXXX attached to the application.
3. The applicants have been blessed with one biological child known as JM born on 14<sup>th</sup> August 2014 currently in Grade 4 at [Particulars Withheld]. They applicants now wish to adopt a female child known as MA aged 2 Years 2 months old through an originating summons dated 30<sup>th</sup> October 2024.
4. From the pleadings, the court finds that the 1<sup>st</sup> applicant is unemployed. The 2<sup>nd</sup> applicant is self employed working as a Business Lady. The applicants reside at [Particulars Withheld] within Nairobi County. They both profess Christian faith.
5. From the evidence on record this court finds that the child in this matter was born on 31<sup>st</sup> March 2023. She was found abandoned around Chepseon Polytechnic on 3<sup>rd</sup> April 2023 by a good Samaritan. The matter was reported at Chepseon Police Station under OB NO 15/03/04/2023 as evidenced by



a copy of initial police letter dated 3<sup>rd</sup> April 2023 attached to the application. The child was admitted at New Life Home Trust on 19<sup>th</sup> April 2023.

6. The evidence on record indicates that on 18<sup>th</sup> April 2023 the Sub-County Children's Officer in Kericho requested the Child to be committed to New Life Home Trust pending investigation. The child was admitted at New Life Home Trust on 19<sup>th</sup> April 2023.
7. On 18<sup>th</sup> April,2023 the child was committed to the care and protection of New Life Home Trust through the Children's Court at Kericho under Care and Protection Case Number E062/2023 as evidenced by a committal order attached to the application.
8. Prior to the hearing of the adoption application, Buckner Kenya Adoption Society prepared and filed a report dated 20<sup>th</sup> January 2025. They also issued a Certificate serial number XXXX declaring the child free for adoption as evidenced by the copies of a report and a certificate declaring a child free for Adoption attached to the application.
9. The applicants stated that they have no previous criminal record and no pending criminal prosecution as evidenced by their respective police clearance certificates attached to the application.
10. The applicants are both physically and emotionally fit and healthy to parent, love and care for the child as evidenced by copies of their respective Medical reports attached to the application.
11. The applicants are financially stable and they are therefore able to provide fully for the child's need as evidenced by copies of their financial documents attached to the application.
12. The guardian ad litem Ms. JWM filed a report dated 28<sup>th</sup> April,2025 which was favourable and recommended the adoption of the child by the Applicants.
13. Ms. Mary Atati,an Assistant Director Children Services conducted home visits and established that the applicants are financially and emotionally capable of providing for the upkeep and education of the child and filed a report dated 29<sup>th</sup> April,2025 recommending the adoption for reasons that the child stands to gain from the opportunities provided by becoming the daughter of the Applicants and the applicants have fulfilled the statutory requirements.
14. The legal guardian Ms. JMM consented to be appointed as legal guardian of the child and she filed a letter of consent attached to the application.
15. The consent of the biological parents was dispensed with since their whereabouts is unknown.
16. The child was in court during the virtual hearing and appeared to have bonded well with the Applicants.
17. This is a local adoption and from the record the Applicants have fulfilled all the legal requirements relating to the adoption of the child.
18. I have examined the evidence herein and best interest of the child as required in Article 53 (2) of *the Constitution* and Section 8 the Children's Act,2022. I find that it is in the best interest of the child to be adopted by the Applicants. I therefore allow the prayers sought in the originating Summons dated 30<sup>th</sup> October, 2024 and Order as follows:
  - i. The Applicants JKK and CWM are hereby allowed to adopt Baby MA who shall henceforth be known as ANK.
  - ii. Ms.JMM is hereby appointed the legal guardian of the child.



iii. The Registrar General is directed to enter this Order in the Adopted Children Registry.

iv. The guardian ad litem is hereby discharged.

**DATED AT NAIROBI THIS 29<sup>TH</sup> DAY OF MAY 2025**

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**S. N. RIECHI**

**JUDGE**

