



**In re J alias JJ (Baby (Adoption Cause E286 of 2024)  
[2025] KEHC 9707 (KLR) (Family) (26 June 2025) (Judgment)**

Neutral citation: [2025] KEHC 9707 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
FAMILY  
ADOPTION CAUSE E286 OF 2024  
SN RIECHI, J  
JUNE 26, 2025**

**IN THE MATTER OF AN APPLICATION FOR THE ADOPTION OF BABY J ALIAS BABY JJ**

**IN THE MATTER OF**

**ENK ..... 1<sup>ST</sup> APPLICANT  
JNM ..... 2<sup>ND</sup> APPLICANT**

**JUDGMENT**

1. The Applicants, ENK and JNM are in a monogamous marriage. The applicants’ marriage was solemnized on 12<sup>th</sup> May 2007 at Full Gospel of Kenya Church in Munyu, Naivasha as evidenced by a copy of their Marriage Certificate serial number XXXXXX attached to the application.
2. The male applicant ENK is a Kenyan citizen aged 58 years old having been born in 1967 as evidenced by a copy of his national identification card number XXXXXXXX attached to the summons. The female applicant JNM is a Kenyan citizen aged 51 Years old having been born in 1974 as evidenced by a copy of her national identification card number XXXXXXXX attached to the application.
3. The male applicant ENK is a Farmer . The female applicant JNM is also a Farmer. The applicants reside at Munyu within Naivasha Sub-County . They both profess Christian Faith.
4. The applicants union is not blessed with a child of their own and therefore the applicants wish to adopt a male child known as Baby J Alias Baby JJ aged 8 Years old through an originating summons dated 16<sup>th</sup> December 2024.
5. The evidence before this court indicates that the minor was found abandoned and wrapped in a polythene bag and abandoned near incinerator within Magongo Health Center compound. At the time of abandonment, the child was presumed to be one year old.



6. From the pleadings, the minor was rescued by the hospital staff. The Baby was then admitted at the Coast General Hospital where he was diagnosed with neonatal and he was treated and discharged on 18<sup>th</sup> April 2017. The case was referred to Children's office Changanwe where interim protective custody was sought at Life Spring Children's Rescued Center.
7. The applicants stated that on 19<sup>th</sup> November 2020, the child was committed at Life Springs Children's Home through Children's Court at Tononoka under Care and Protection Number 1127 of 2017 as evidenced by a copy of committal order attached to the application.
8. From the evidence on record this court finds that on 21<sup>st</sup> March 2019, Changanwe Police Station issued final Police Letter indicating that they had conducted investigations on the matter and that they had not been able to trace the child's parents and kin and neither had they received a claim for the child as evidenced by a copy of the final police letter 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 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 child was place under foster care of the applicants on 14<sup>th</sup> August 2023 as evidenced by a copy of Foster Care Agreement attached to the summons.
13. Prior to the hearing of the adoption application, Buckner Kenya Adoption Services prepared and filed a report dated 7<sup>th</sup> February 2025 recommending the adoption . They also issued a Certificate Serial No 0662 declaring the child free for adoption pursuant to section 156 (1) of the Children's Act as evidenced by the copies of a report and certificate declaring a child free for Adoption attached to the application.
14. The guardian ad litem Ms.MWK filed a report dated 23<sup>rd</sup> March ,2025 which was favourable and recommended the adoption of the child by the Applicants.
15. Ms.Everline Njeri Njoroge, Children Officer from the Children's Service Office Naivasha 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 5<sup>th</sup> May 2025. The report is positive and recommended the adoption for reasons that the child stands to gain from the opportunities provided by becoming the son of the Applicants and that the Applicants have fulfilled the statutory requirements.
16. Mr. BNK and Ms.GNN consented to be appointed as legal guardians for the child and signed their letters of consent attached to the application.
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. The consent of the biological parents was dispensed with since the child's biological parents whereabouts is unknown.
18. The child was in court during the virtual hearing and testified as follows;

“I am 8 years old. I am a pupil in [Particulars Withheld] School in Grade.... I am also with G. G is elder. We are also with M who is 9 years Old.”



The child appeared to have bonded well with the Applicants.

19. I have examined the evidence herein against the best interest of the child as required in Article 53 (2) of *the Constitution* and Section 8 of the Children’s Act,2022. I do 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 16<sup>th</sup> December 2024 and Order as follows:

- i. The Applicants ENK and JNM are hereby authorized to adopt Baby JJ who shall henceforth be known as JMN.
- ii. The child is presumed to have been born in Magongo, Mombasa County in the Republic of Kenya in accordance with Article 14(4) of the Constitution .
- iii. Mr. BNK and Ms.GNN are hereby appointed the legal guardians of the child.
- iv. The Registrar General is directed to enter this Order in the Register of Adopted Children.
- v. The guardian ad litem is hereby discharged.

**DELIVERED AND DATED AT NAIROBI THIS 26<sup>TH</sup> DAY OF JUNE 2025**

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**S. N. RIECHI**

**JUDGE**

