

14.最高法院刑事上訴案件被告裁判結果－按罪名別分

14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court – by Crime Type

中華民國 108 年 (2019)

單位：人 (Unit: individual)

罪名別  Crime type	合計  Total	科刑 Type of sentence												免除其刑  Penalty released	無罪  Acquitted	免訴  Not prosecu- table	不受理  Case declined	管轄錯誤  Mistake in Jurisdiction	其他  Other	緩刑  Suspension of punishment	保安處分  Re- habilitative measures	罪名別  Crime type	
		計	死刑	無期徒刑	有期徒刑 Time imprisonments								拘役										罰金
					小計	一年以下	逾一年至 二年以下	逾二年至 三年以下	逾三年至 五年以下	逾五年至 七年以下	逾七年至 十年以下	逾十年											
		Subtotal	Death sentence	Life sentence	Subtotal	1 or less than 1 year	Over 1 year to 2 years	Over 2 years to 3 years	Over 3 years to 5 years	Over 5 years to 7 years	Over 7 years to 10 years	Over 10 years	Detention	Punitive fine									
合計 Total	5 217	4 935	1	25	4 827	1 339	1 058	274	1 061	237	629	229	55	27	1	162	12	100	1	6	3	合計 Total	
普通刑法計 Subtotal of general criminal law	2 265	2 120	1	20	2 050	727	630	94	279	79	177	64	47	2	-	67	1	74	1	2	3	普通刑法計 Subtotal of general criminal law	
內亂罪 Offenses against the internal security of the state	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	內亂罪 Offenses against the internal security of the state	
外患罪 Offenses against the external security of the state	1	1	-	-	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	外患罪 Offenses against the external security of the state	
妨害國交罪 Offenses of interference with relations with other states	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害國交罪 Offenses of interference with relations with other states	
瀆職罪 Offenses of malfeasance in office	25	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	25	-	-	-	-	瀆職罪 Offenses of malfeasance in office	
妨害公務罪 Offenses of interference with public functions	6	6	-	-	6	5	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害公務罪 Offenses of interference with public functions	
妨害投票罪 Offenses of interference with voting	34	34	-	-	34	33	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害投票罪 Offenses of interference with voting	
妨害秩序罪 Offenses of interference with public order	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害秩序罪 Offenses of interference with public order	
脫逃罪 Offenses of escape	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	脫逃罪 Offenses of escape	
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	
偽證罪 Offenses of perjury	26	19	-	-	19	19	-	-	-	-	-	-	-	-	-	3	-	4	-	-	-	偽證罪 Offenses of perjury	
誣告罪 Offenses of malicious accusation	65	27	-	-	27	27	-	-	-	-	-	-	-	-	-	17	-	21	-	-	-	誣告罪 Offenses of malicious accusation	
公共危險罪 Offenses against public safety	142	140	-	-	140	56	60	5	13	5	1	-	-	-	-	1	-	-	-	1	-	公共危險罪 Offenses against public safety	
放火 Arson	20	20	-	-	20	1	8	2	8	1	-	-	-	-	-	-	-	-	-	-	-	放火 Arson	
燒燬建築物及住宅 Destruction by fire of building and residence	17	17	-	-	17	-	6	2	8	1	-	-	-	-	-	-	-	-	-	-	-	燒燬建築物及住宅 Destruction by fire of building and residence	
燒燬其他物件 Destruction by fire of other objects	3	3	-	-	3	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	燒燬其他物件 Destruction by fire of other objects	
失火 Negligent fire	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	失火 Negligent fire	
燒燬建築物及住宅 Destruction by fire of building and residence	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	燒燬建築物及住宅 Destruction by fire of building and residence	
燒燬其他物件 Destruction by fire of other objects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	燒燬其他物件 Destruction by fire of other objects	
違背建築術成規 Violation of building practice	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違背建築術成規 Violation of building practice	
妨害衛生安全 Obstruction to sanitation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害衛生安全 Obstruction to sanitation	
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	漏逸氣體 Gas leak	
妨害交通安全 Obstruction to traffic safety	122	120	-	-	120	55	52	3	5	4	1	-	-	-	-	1	-	-	-	1	-	妨害交通安全 Obstruction to traffic safety	
強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety	
不能安全駕駛 Inability to drive safely	19	19	-	-	19	4	4	2	5	4	-	-	-	-	-	-	-	-	-	-	-	不能安全駕駛 Inability to drive safely	
肇事致人死傷逃逸 Hit and run	99	98	-	-	98	49	48	1	-	-	-	-	-	-	-	1	-	-	-	-	-	肇事致人死傷逃逸 Hit and run	
其他 Other	4	3	-	-	3	2	-	-	-	-	1	-	-	-	-	-	-	-	-	1	-	其他 Other	
危險物 Hazard materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	危險物 Hazard materials	
爆裂物 Explosives	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	爆裂物 Explosives	
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	核能放射線 Nuclear radiation	
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other	

說明：本表僅含宣告不合法、無理由及自為判決之被告資料。

Note: This table only contains the defendants declared as improform, groundless or ruled by the Supreme Court.

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續一)

14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court – by Crime Type(Cont. 1)

中華民國 108 年 (2019)

單位：人 (Unit: individual)

罪名別  Crime type	合計  Total	科刑 Type of sentence												免除其刑  Penalty released	無罪  Acquitted	免訴  Not prosecu- table	不受理  Case declined	管轄錯誤  Mistake in Jurisdiction	其他  Other	緩刑  Suspension of punishment	保安處分  Re-habilitative measures	罪名別  Crime type	
		計  Subtotal	死刑  Death sentence	無期徒刑  Life sentence	有期徒刑 Time imprisonments								拘役  Detention										罰金  Punitive fine
					小計  Subtotal	一年以下 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年 Over 10 years											
偽造貨幣罪 Offenses of counterfeiting currency	6	6	-	-	6	-	4	-	2	-	-	-	-	-	-	-	-	-	-	-	-	偽造貨幣罪 Offenses of counterfeiting currency	
偽造有價證券罪 Offenses of counterfeiting valuable securities	77	76	-	-	76	2	27	4	40	3	-	-	-	-	-	-	-	-	1	-	-	偽造有價證券罪 Offenses of counterfeiting valuable securities	
偽造度量衡罪 Offenses of falsifying weights and measures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造度量衡罪 Offenses of falsifying weights and measures	
偽造文書印文罪 Offenses of forging instruments or seals	236	213	-	-	212	146	51	7	8	-	-	-	1	-	-	15	1	7	-	-	2	偽造文書印文罪 Offenses of forging instruments or seals	
偽造變造私文書 Forgery or alteration of private documents	173	155	-	-	155	127	18	5	5	-	-	-	-	-	-	15	-	3	-	-	2	偽造變造私文書 Forgery or alteration of private documents	
偽造變造公文書 Forgery or alteration of public documents	46	45	-	-	45	9	31	2	3	-	-	-	-	-	-	-	-	1	-	-	-	偽造變造公文書 Forgery or alteration of public documents	
偽造變造特種文書 Forgery or alteration of special documents	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造變造特種文書 Forgery or alteration of special documents	
公文書不實登載 False entry in public documents	6	4	-	-	4	2	2	-	-	-	-	-	-	-	-	-	-	2	-	-	-	公文書不實登載 False entry in public documents	
使公務員登載不實 Causing a functionary to make false entries in public documents	7	6	-	-	5	5	-	-	-	-	-	-	1	-	-	-	1	-	-	-	-	使公務員登載不實 Causing a functionary to make false entries in public documents	
業務上文書登載不實 False entry in occupational documents	3	2	-	-	2	2	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	業務上文書登載不實 False entry in occupational documents	
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	
妨害性自主罪 Offenses against sexual autonomy	327	307	-	-	307	47	36	14	147	7	55	1	-	-	-	16	-	4	-	-	-	妨害性自主罪 Offenses against sexual autonomy	
強制性交猥褻 Forced sexual intercourse or obscene act	326	306	-	-	306	46	36	14	147	7	55	1	-	-	-	16	-	4	-	-	-	強制性交猥褻 Forced sexual intercourse or obscene act	
強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	強制性交猥褻之殺人或重傷害 Manslaughter or senous bodily harm from forced sexual intercourse or obscene act	
其他 Other	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other	
妨害風化罪 Offenses against sexual morality	45	44	-	-	44	40	2	-	2	-	-	-	-	-	-	1	-	-	-	-	-	妨害風化罪 Offenses against sexual morality	
強姦 Rape	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	強姦 Rape	
強姦殺人 Rape homicide	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	強姦殺人 Rape homicide	
意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	45	44	-	-	44	40	2	-	2	-	-	-	-	-	-	1	-	-	-	-	-	意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	
製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text, book or article	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text, book or article	
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other	
妨害婚姻及家庭罪 Offenses against marriage and family	3	3	-	-	3	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害婚姻及家庭罪 Offenses against marriage and family	

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續二)  
14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court – by Crime Type(Cont. 2)

中華民國 108 年 (2019)

單位：人 (Unit: individual)

罪名別  Crime type	合計  Total	科刑 Type of sentence												免除其刑  Penalty released	無罪  Acquitted	免訴  Not prosecu- table	不受理  Case declined	管轄錯誤  Mistake in Jurisdiction	其他  Other	緩刑  Suspension of punishment	保安處分  Re- habilitative measures	罪名別  Crime type	
		計  Subtotal	死刑  Death sentence	無期徒刑  Life sentence	有期徒刑 Time imprisonments								拘役  Detention										罰金  Punitive fine
					小計  Subtotal	一年以下  1 or less than 1 year	逾一年至 二年以下  Over 1 year to 2 years	逾二年至 三年以下  Over 2 years to 3 years	逾三年至 五年以下  Over 3 years to 5 years	逾五年至 七年以下  Over 5 years to 7 years	逾七年至 十年以下  Over 7 years to 10 years	逾十年  Over 10 years											
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	1	1	-	-	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	
妨 害 農 工 商 罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨 害 農 工 商 罪 Offenses against agriculture, industry & commerce	
賭 博 罪 Offenses of gambling	2	2	-	-	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	賭 博 罪 Offenses of gambling	
單 純 賭 博 Simple gambling	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	單 純 賭 博 Simple gambling	
供 給 賭 博 場 所 等 賭 博 Gamble of providing gambling places and the like	2	2	-	-	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	供 給 賭 博 場 所 等 賭 博 Gamble of providing gambling places and the like	
殺 人 罪 Offenses of homicide	154	148	1	17	129	18	7	5	11	38	11	39	1	-	-	6	-	-	-	-	-	殺 人 罪 Offenses of homicide	
殺 Homicide	121	118	1	17	100	-	1	5	6	38	11	39	-	-	-	3	-	-	-	-	-	殺 Homicide	
既 Consummation	64	62	1	17	44	-	-	-	-	3	3	38	-	-	-	2	-	-	-	-	-	既 Consummation	
普 通 殺 人 General homicide	58	57	-	15	42	-	-	-	-	3	2	37	-	-	-	1	-	-	-	-	-	普 通 殺 人 General homicide	
殺 害 直 系 尊 親 屬 Homicide of lineal ascendants by blood	6	5	1	2	2	-	-	-	-	-	1	1	-	-	-	1	-	-	-	-	-	殺 害 直 系 尊 親 屬 Homicide of lineal ascendants by blood	
未 Attempt	57	56	-	-	56	-	1	5	6	35	8	1	-	-	-	1	-	-	-	-	-	未 Attempt	
普 通 殺 人 General homicide	55	54	-	-	54	-	1	5	6	34	7	1	-	-	-	1	-	-	-	-	-	普 通 殺 人 General homicide	
殺 害 直 系 尊 親 屬 Homicide of lineal ascendants by blood	2	2	-	-	2	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	殺 害 直 系 尊 親 屬 Homicide of lineal ascendants by blood	
過 失 致 死 Manslaughter	33	30	-	-	29	18	6	-	5	-	-	-	1	-	-	3	-	-	-	-	-	過 失 致 死 Manslaughter	
醫 療 過 失 致 人 於 死 Negligent killing by a physician	3	2	-	-	2	-	2	-	-	-	-	-	-	-	-	1	-	-	-	-	-	醫 療 過 失 致 人 於 死 Negligent killing by a physician	
交 通 過 失 致 人 於 死 Negligent killing by a driver	13	12	-	-	11	9	2	-	-	-	-	-	1	-	-	1	-	-	-	-	-	交 通 過 失 致 人 於 死 Negligent killing by a driver	
其 他 過 失 致 人 於 死 Other negligent killing	17	16	-	-	16	9	2	-	5	-	-	-	-	-	-	1	-	-	-	-	-	其 他 過 失 致 人 於 死 Other negligent killing	

#### 14.最高法院刑事上訴案件被告裁判結果—按罪名別分(續三)

中華民國 108 年 (2019)

單位：人 (Unit: individual)

罪名別  Crime type	合計  Total	科刑 Type of sentence												免除其刑  Penalty released	無罪  Acquitted	免訴  Not prosecu- table	不受理  Case declined	管轄錯誤  Mistake in Jurisdiction	其他  Other	緩刑  Suspension of punishment	保安處分  Re-ha- bitative measures	罪名別  Crime type	
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傷 害 罪 Offenses of causing bodily harm	156	147	-	-	133	37	7	5	15	10	44	15	14	-	-	2	-	7	-	-	1	傷 害 罪 Offenses of causing bodily harm	
傷 害 直 系 尊 親 屬 Bodily harm of lineal ascendants by blood	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	傷 害 直 系 尊 親 屬 Bodily harm of lineal ascendants by blood	
重 傷 害 Serious bodily harm	14	13	-	-	13	-	-	1	2	6	4	-	-	-	-	1	-	-	-	-	-	重 傷 害 Serious bodily harm	
傷 害 致 死 Bodily harm resulting in death	67	65	-	-	65	-	-	2	4	4	40	15	-	-	-	-	-	2	-	-	-	傷 害 致 死 Bodily harm resulting in death	
醫 療 過 失 傷 害 Negligent bodily harm by a physician	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	醫 療 過 失 傷 害 Negligent bodily harm by a physician	
交 通 過 失 傷 害 Negligent bodily harm by a driver	5	5	-	-	3	2	1	-	-	-	-	-	2	-	-	-	-	-	-	-	-	交 通 過 失 傷 害 Negligent bodily harm by a driver	
其 他 過 失 傷 害 Other negligent bodily harm	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其 他 過 失 傷 害 Other negligent bodily harm	
其 他 Other	69	63	-	-	51	34	6	2	9	-	-	-	12	-	-	1	-	5	-	-	1	其 他 Other	
墮 胎 罪 Offenses of abortion	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	墮 胎 罪 Offenses of abortion	
遺 棄 罪 Offenses of abandonment	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	遺 棄 罪 Offenses of abandonment	
妨 害 自 由 罪 Offenses against personal liberty	88	84	-	-	73	62	10	1	-	-	-	-	11	-	-	3	-	1	-	-	-	妨 害 自 由 罪 Offenses against personal liberty	
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	
詐 術 使 人 出 國 Fraudulently causing a person to leave the territory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	詐 術 使 人 出 國 Fraudulently causing a person to leave the territory	
略 誘 罪 Abduction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	略 誘 罪 Abduction	
剝 奪 行 動 自 由 Deprivation of freedom of movement	65	63	-	-	62	52	10	-	-	-	-	-	1	-	-	1	-	1	-	-	-	剝 奪 行 動 自 由 Deprivation of freedom of movement	
強 制 罪 Coercion offense	13	11	-	-	7	6	-	1	-	-	-	-	4	-	-	2	-	-	-	-	-	強 制 罪 Coercion offense	
恐 嚇 危 害 安 全 Obstruction of safety by threat	9	9	-	-	4	4	-	-	-	-	-	-	5	-	-	-	-	-	-	-	-	恐 嚇 危 害 安 全 Obstruction of safety by threat	
侵 入 或 滯 留 Trespassing on, or lingering in, a property	1	1	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	侵 入 或 滯 留 Trespassing on, or lingering in, a property	
違 法 搜 索 Illegal search	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違 法 搜 索 Illegal search	

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續四)

14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court – by Crime Type(Cont. 4)

中華民國 108 年 (2019)

單位：人 (Unit: individual)

罪名別  Crime type	合計  Total	科刑 Type of sentence												免除其刑  Penalty released	無罪  Acquitted	免訴  Not prosecu- table	不受理  Case declined	管轄錯誤  Mistake in Jurisdiction	其他  Other	緩刑  Suspension of punishment	保安處分  Re- habilitative measures	罪名別  Crime type	
		計  Subtotal	死刑  Death sentence	無期徒刑  Life sentence	有期徒刑 Time imprisonments								拘役  Detention										罰金  Punitive fine
					小計  Subtotal	一年以下 1 or less than 1 year	逾一年至 二年以下 Over 1 year to 2 years	逾二年至 三年以下 Over 2 years to 3 years	逾三年至 五年以下 Over 3 years to 5 years	逾五年至 七年以下 Over 5 years to 7 years	逾七年至 十年以下 Over 7 years to 10 years	逾十年  Over 10 years											
妨 害 名 譽 及 信 用 罪 Offenses against personal reputation & credits	4	4	-	-	-	-	-	-	-	-	-	-	3	1	-	-	-	-	-	-	-	-	妨 害 名 譽 及 信 用 罪 Offenses against personal reputation & credits
妨 害 秘 密 罪 Offenses relating to protection of secrets	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨 害 秘 密 罪 Offenses relating to protection of secrets
竊 盜 罪 Offenses of larceny	19	19	-	-	16	12	4	-	-	-	-	-	3	-	-	-	-	-	-	-	-	-	竊 盜 罪 Offenses of larceny
普 通 竊 盜 竊 占 Common theft and theft of movables or immovables	6	6	-	-	3	2	1	-	-	-	-	-	3	-	-	-	-	-	-	-	-	-	普 通 竊 盜 竊 占 Common theft and theft of movables or immovables
加 重 竊 盜 罪 Severe theft	13	13	-	-	13	10	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	加 重 竊 盜 罪 Severe theft
常 業 竊 盜 罪 Occupational theft	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	常 業 竊 盜 罪 Occupational theft
強 盜 罪 Offenses of robbery	112	110	-	3	107	-	-	4	13	16	65	9	-	-	-	1	-	1	-	-	-	-	強 盜 罪 Offenses of robbery
搶 奪 及 海 盜 罪 Offenses of snatch of property and piracy	9	9	-	-	9	5	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	搶 奪 及 海 盜 罪 Offenses of snatch of property and piracy
侵 占 罪 Offenses of misappropriation	17	17	-	-	17	10	5	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	侵 占 罪 Offenses of misappropriation
普 通 侵 占 罪 Common embezzlement	3	3	-	-	3	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	普 通 侵 占 罪 Common embezzlement
公 務 公 益 侵 占 罪 Official embezzlement	2	2	-	-	2	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	公 務 公 益 侵 占 罪 Official embezzlement
業 務 侵 占 罪 Occupational embezzlement	12	12	-	-	12	7	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	業 務 侵 占 罪 Occupational embezzlement
侵 占 遺 失 物 罪 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	侵 占 遺 失 物 罪 Embezzlement of lost articles
詐 欺 罪 Offenses of fraud	635	632	-	-	621	155	393	47	26	-	-	-	11	-	-	1	-	1	1	-	-	-	詐 欺 罪 Offenses of fraud
一 般 詐 欺 罪 Common fraud	633	630	-	-	619	154	392	47	26	-	-	-	11	-	-	1	-	1	1	-	-	-	一 般 詐 欺 罪 Common fraud
常 業 詐 欺 罪 Occupational fraud	2	2	-	-	2	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	常 業 詐 欺 罪 Occupational fraud
背 信 罪 Offenses of breach of trust	2	2	-	-	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	背 信 罪 Offenses of breach of trust
重 利 罪 Offenses of usury	11	11	-	-	10	9	1	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	重 利 罪 Offenses of usury
恐 嚇 取 財 罪 Offenses of obtaining property by threats	43	43	-	-	43	26	15	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	恐 嚇 取 財 罪 Offenses of obtaining property by threats
擄 人 勒 贖 罪 Offenses of kidnapping for ransom	1	1	-	-	1	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	擄 人 勒 贖 罪 Offenses of kidnapping for ransom
贓 物 罪 Offenses relating to illegally obtained property	3	2	-	-	1	1	-	-	-	-	-	-	1	-	-	-	-	1	-	-	-	-	贓 物 罪 Offenses relating to illegally obtained property
毀 棄 損 壞 罪 Offenses of destruction, abandonment, and damage of property	4	3	-	-	1	1	-	-	-	-	-	-	1	1	-	1	-	-	-	-	-	-	毀 棄 損 壞 罪 Offenses of destruction, abandonment, and damage of property
妨 害 電 腦 使 用 罪 Offenses of impairment to use of computers	7	7	-	-	7	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨 害 電 腦 使 用 罪 Offenses of impairment to use of computers

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續五)

14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court – by Crime Type(Cont. 5)

中華民國 108 年 (2019)

單位：人 (Unit: individual)

罪名別  Crime type	合計  Total	科刑 Type of sentence												免除其刑  Penalty released	無罪  Acquitted	免訴  Not prosecu- table	不受理  Case declined	管轄錯誤  Mistake in Jurisdiction	其他  Other	緩刑  Suspension of punishment	保安處分  Re-habilitative measures	罪名別  Crime type	
		計  Subtotal	死刑  Death sentence	無期徒刑  Life sentence	有期徒刑 Time imprisonments								拘役  Detention										罰金  Punitive fine
					小計  Subtotal	一年以下 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年 Over 10 years											
特 別 刑 事 法 令 計 Subtotal of special criminal law	2 952	2 815	-	5	2 777	612	428	180	782	158	452	165	8	25	1	95	11	26	-	4	-	特 別 刑 事 法 令 計 Subtotal of special criminal law	
貪 污 治 罪 條 例 Punishment of corruption act	174	135	-	-	135	16	21	10	23	30	20	15	-	-	-	25	-	14	-	-	-	貪 污 治 罪 條 例 Punishment of corruption act	
懲 治 盜 匪 條 例 Punishment of thieves and bandits act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	懲 治 盜 匪 條 例 Punishment of thieves and bandits act	
妨 害 兵 役 治 罪 條 例 Punishment of offenses against military service act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨 害 兵 役 治 罪 條 例 Punishment of offenses against military service act	
違 反 電 信 法 Violation of the telecommunications act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違 反 電 信 法 Violation of the telecommunications act	
違 反 糧 食 管 理 法 Violation of the grain control law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違 反 糧 食 管 理 法 Violation of the grain control law	
違反國家總動員法 Violation of the national general mobilization law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反國家總動員法 Violation of the national general mobilization law	
懲 治 走 私 條 例 Punishment of smuggling act	5	5	-	-	5	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	懲 治 走 私 條 例 Punishment of smuggling act	
違 反 森 林 法 Violation of the forestry law	54	54	-	-	54	15	38	1	-	-	-	-	-	-	-	-	-	-	-	-	-	違 反 森 林 法 Violation of the forestry law	
違 反 漁 業 法 Violation of the fishery law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違 反 漁 業 法 Violation of the fishery law	
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	1 868	1 845	-	5	1 840	414	198	117	489	70	405	147	-	-	-	19	-	3	-	1	-	違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	
製 造 運 輸 販 賣 Manufacture, transport, or sale	1 371	1 354	-	5	1 349	15	140	101	477	64	405	147	-	-	-	17	-	-	-	-	-	製 造 運 輸 販 賣 Manufacture, transport, or sale	
施 用 Use	378	373	-	-	373	351	22	-	-	-	-	-	-	-	-	1	-	3	-	1	-	施 用 Use	
其 他 Other	119	118	-	-	118	48	36	16	12	6	-	-	-	-	-	1	-	-	-	-	-	其 他 Other	
陸 海 空 軍 刑 法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	陸 海 空 軍 刑 法 Criminal law of the armed forces	
違 反 水 利 法 Violation of the irrigation management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違 反 水 利 法 Violation of the irrigation management law	
違 反 電 業 法 Violation of the electricity management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違 反 電 業 法 Violation of the electricity management law	
違 反 海 商 法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違 反 海 商 法 Violation of the maritime commercial law	
違反就業服務法 Violation of the employment services law	1	1	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反就業服務法 Violation of the employment services law	
違反能源管理法 Violation of the energy management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反能源管理法 Violation of the energy management law	
違反動產擔保交易法 Violation of the personal property secured transactions act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反動產擔保交易法 Violation of the personal property secured transactions act	
違反商業登記法 Violation of the commercial registration law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反商業登記法 Violation of the commercial registration law	
違反勞動基準法 Violation of the labor standards law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反勞動基準法 Violation of the labor standards law	
違反職業安全衛生法 Violation of the labor safety and health law	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	違反職業安全衛生法 Violation of the labor safety and health law	

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續六)

14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court – by Crime Type(Cont. 6)

中華民國 108 年 (2019)

單位：人 (Unit: individual)

罪名別  Crime type	合計  Total	科刑 Type of sentence												免除其刑  Penalty released	無罪  Acquitted	免訴  Not prosecu- table	不受理  Case declined	管轄錯誤  Mistake in Jurisdiction	其他  Other	緩刑  Suspension of punishment	保安處分  Re- habilitative measures	罪名別  Crime type	
		計  Subtotal	死刑  Death sentence	無期徒刑  Life sentence	有期徒刑 Time imprisonments								拘役  Detention										罰金  Punitive fine
					小計  Subtotal	一年以下 1 or less than 1 year	逾一年至 二年以下 Over 1 year to 2 years	逾二年至 三年以下 Over 2 years to 3 years	逾三年至 五年以下 Over 3 years to 5 years	逾五年至 七年以下 Over 5 years to 7 years	逾七年至 十年以下 Over 7 years to 10 years	逾十年  Over 10 years											
違反各種稅法 Violation of various taxation laws	5	5	-	-	5	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反各種稅法 Violation of various taxation laws	
違反臺灣省菸酒專賣條例 Violation of the taiwan provincial tobacco and alcohol monopoly act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反臺灣省菸酒專賣條例 Violation of the taiwan provincial tobacco and alcohol monopoly act	
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	
違反醫師法 Violation of the physicians law	8	7	-	-	7	6	1	-	-	-	-	-	-	-	1	-	-	-	-	-	-	違反醫師法 Violation of the physicians law	
違反藥事法 Violation of the pharmaceutical affairs act	40	40	-	-	38	27	4	4	-	-	3	-	1	1	-	-	-	-	-	-	-	違反藥事法 Violation of the pharmaceutical affairs act	
偽藥 Counterfeit medicine	40	40	-	-	38	27	4	4	-	-	3	-	1	1	-	-	-	-	-	-	-	偽藥 Counterfeit medicine	
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other	
違反麻醉藥品管理條例 Violation of the anaesthetics control act	1	1	-	-	1	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	違反麻醉藥品管理條例 Violation of the anaesthetics control act	
違反著作權法 Violation of the copyright law	5	3	-	-	3	3	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-	違反著作權法 Violation of the copyright law	
違法重製罪 Offence of unlawful reproduction	5	3	-	-	3	3	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-	違法重製罪 Offence of unlawful reproduction	
移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession	
公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting	
侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad	
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	
違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection	
違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	
虛偽記載登記罪 Offense of false entry or registration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	虛偽記載登記罪 Offense of false entry or registration	
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other	
違反建築法 Violation of the building law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反建築法 Violation of the building law	
違反公平交易法 Violation of the fair trade act	8	8	-	-	8	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反公平交易法 Violation of the fair trade act	
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	2	2	-	-	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	
違反野生動物保育法 Violation of the wildlife conservation law	6	6	-	-	6	5	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反野生動物保育法 Violation of the wildlife conservation law	
違反水污染防治法 Violation of the water pollution control law	3	3	-	-	2	-	2	-	-	-	-	-	-	1	-	-	-	-	-	-	-	違反水污染防治法 Violation of the water pollution control law	
違反兩岸關係條例 Violation of the cross-strait relations act	33	33	-	-	32	4	18	1	9	-	-	-	1	-	-	-	-	-	-	-	-	違反兩岸關係條例 Violation of the cross-strait relations act	

14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續七完)

14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court – by Crime Type(Cont. End)

中華民國 108 年 (2019)

單位：人 (Unit: individual)

罪名別  Crime type	合計  Total	科刑 Type of sentence												免除其刑  Penalty released	無罪  Acquitted	免訴  Not prosecu- table	不受理  Case declined	管轄錯誤  Mistake in Jurisdiction	其他  Other	緩刑  Suspension of punishment	保安處分  Re-habilitative measures	罪名別  Crime type	
		計  Subtotal	死刑  Death sentence	無期徒刑  Life sentence	有期徒刑 Time imprisonments								拘役  Detention										罰金  Punitive fine
					小計  Subtotal	一年以下 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年 Over 10 years											
違反公司法 Violation of the company law	5	5	-	-	5	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反公司法 Violation of the company law	
違反食品安全衛生管理法 Violation of the food sanitation control law	22	16	-	-	10	5	4	1	-	-	-	-	-	6	-	6	-	-	-	-	-	違反食品安全衛生管理法 Violation of the food sanitation control law	
違反專利法 Violation of the patent law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反專利法 Violation of the patent law	
偽造專利品罪 Offense of forgery of patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	偽造專利品罪 Offense of forgery of patented articles	
竊用專利方法罪 Offense of wrongful use a patented process	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	竊用專利方法罪 Offense of wrongful use a patented process	
販賣陳列輸入偽造之專利品罪 Sale, display or importation of forged patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	販賣陳列輸入偽造之專利品罪 Sale, display or importation of forged patented articles	
虛偽標示罪 Offense of false marking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	虛偽標示罪 Offense of false marking	
違反商標法 Violation of the trademark law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反商標法 Violation of the trademark law	
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	侵害他人商標罪 Offense of trademark infringement	
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	
惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words	
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	315	310	-	-	310	9	35	29	189	41	6	1	-	-	-	5	-	-	-	-	-	違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	國家安全法 National security law	
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	集會遊行法 Mass gathering and demonstration act	
違反銀行法 Violation of the banking law	85	78	-	-	77	1	27	1	28	9	10	1	-	1	-	3	-	1	-	3	-	違反銀行法 Violation of the banking law	
違反選舉罷免法 Violation of the election and recall law	21	16	-	-	16	3	8	-	5	-	-	-	-	-	-	5	-	-	-	-	-	違反選舉罷免法 Violation of the election and recall law	
違反兒童及少年性剝削防制條例 Violation of the children's and juvenile's sexual transaction prevention act	48	48	-	-	48	5	9	-	21	7	5	1	-	-	-	-	-	-	-	-	-	違反兒童及少年性剝削防制條例 Violation of the children's and juvenile's sexual transaction prevention act	
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	
違反洗錢防制法 Violation of the Money Laundering Control Act	7	4	-	-	4	4	-	-	-	-	-	-	-	-	-	3	-	-	-	-	-	違反洗錢防制法 Violation of the Money Laundering Control Act	
違反資恐防制法 Violation of Countering the Financing of Terrorism Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	違反資恐防制法 Violation of Countering the Financing of Terrorism Act	
其他 Other	235	189	-	-	168	69	62	16	18	-	3	-	6	15	1	26	11	8	-	-	-	其他 Other	