



11.最高法院刑事上訴案件終結情形—按罪名別分(續一)

11. State of Criminal Appeals Cases Terminated by Supreme Court - by Crime Type (Cont. 1)

中華民國 109 年 (2020)

單位：件 (Unit: case)

罪名別 Crime type	合計 Total	駁回上訴 Appeals dismissed				撤銷原判 Revocation of previous judgment				撤回 Withdrawn	其他 Other
		不合法 Improform		無理由 Groundless		發回更審 Referred back to previous court for new trial		自為判決 Supreme Court itself renders a judgment			
		全部 All	部分 Part	全部 All	部分 Part	全部 All	部分 Part	全部 All	部分 Part		
偽造貨幣罪 Offenses of counterfeiting currency	4	4	-	-	-	-	-	-	-	-	-
偽造有價證券罪 Offenses of counterfeiting valuable securities	96	85	2.0	-	-	7	1.5	-	0.5	-	-
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	246	212	2.0	-	-	26	2.0	1	-	2	1
偽造變造私文書 Forgery or alteration of private documents	199	178	1.5	-	-	18	1.5	-	-	-	-
偽造變造公文書 Forgery or alteration of public documents	23	18	-	-	-	3	-	1	-	1	-
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	14	10	0.5	-	-	2	0.5	-	-	-	1
使公務員登載不實 Causing a functionary to make false entries in public documents	7	3	-	-	-	3	-	-	-	1	-
業務上文書登載不實 False entry in occupational documents	1	1	-	-	-	-	-	-	-	-	-
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	1	1	-	-	-	-	-	-	-	-	-
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	1	1	-	-	-	-	-	-	-	-	-
妨害性自主罪 Offenses against sexual autonomy	456	391	6.0	1	0.5	44	5.5	5	-	3	-
強制性交猥褻 Forced sexual intercourse or obscene act	448	385	5.5	-	0.5	44	5.0	5	-	3	-
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	4	2	0.5	1	-	-	0.5	-	-	-	-
其他 Other	4	4	-	-	-	-	-	-	-	-	-
妨害風化罪 Offenses against sexual morality	26	25	-	-	-	1	-	-	-	-	-
強姦 Rape	-	-	-	-	-	-	-	-	-	-	-
強姦殺人 Rape homicide	-	-	-	-	-	-	-	-	-	-	-
意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	26	25	-	-	-	1	-	-	-	-	-
製造散布持有陳列猥褻文字圖畫物品 Production, distribution, possession or display of pornographic text, book or article	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	4	3	-	-	-	-	-	1	-	-	-

11. 最高法院刑事上訴案件終結情形—按罪名別分(續二)  
11. State of Criminal Appeals Cases Terminated by Supreme Court - by Crime Type (Cont. 2)

中華民國 109 年 (2020)

單位：件 (Unit: case)

罪名別 Crime type	合計 Total	駁回上訴 Appeals dismissed				撤銷原判 Revocation of previous judgment				撤回 With- drawn	其他 Other
		不合法 Improform		無理由 Groundless		發回更審 Referred back to previous court for new trial		自為判決 Supreme Court itself renders a judgment			
		全部 All	部分 Part	全部 All	部分 Part	全部 All	部分 Part	全部 All	部分 Part		
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	1	-	0.5	-	-	-	0.5	-	-	-	-
賭博罪 Offenses of gambling	1	1	-	-	-	-	-	-	-	-	-
單純賭博 Simple gambling	1	1	-	-	-	-	-	-	-	-	-
供給賭博場所等賭博 Gamble of providing gambling places and the like	-	-	-	-	-	-	-	-	-	-	-
殺人罪 Offenses of homicide	211	152	5.0	11	1.0	29	4.0	3	1.0	4	1
殺人 Homicide	167	125	5.0	9	1.0	17	3.5	1	0.5	4	1
既遂 Consummation	94	59	3.5	9	1.0	13	2.0	1	0.5	4	1
普通殺人 General homicide	83	52	3.5	7	1.0	11	2.0	1	0.5	4	1
殺害直系尊親屬 Homicide of lineal ascendants by blood	11	7	-	2	-	2	-	-	-	-	-
未遂 Attempt	73	66	1.5	-	-	4	1.5	-	-	-	-
普通殺人 General homicide	73	66	1.5	-	-	4	1.5	-	-	-	-
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-
過失致死 Manslaughter	44	27	-	2	-	12	0.5	2	0.5	-	-
醫療過失致人於死 Negligent killing by a physician	1	1	-	-	-	-	-	-	-	-	-
交通過失致人於死 Negligent killing by a driver	32	18	-	2	-	10	-	2	-	-	-
其他過失致人於死 Other negligent killing	11	8	-	-	-	2	0.5	-	0.5	-	-



### 11.最高法院刑事上訴案件終結情形—按罪名別分(續四)

11. State of Criminal Appeals Cases Terminated by Supreme Court - by Crime Type (Cont. 4)

中華民國 109 年 (2020)

單位：件 (Unit: case)

罪名別 Crime type	合計 Total	駁回上訴 Appeals dismissed				撤銷原判 Revocation of previous judgment				撤回 With- drawn	其他 Other
		不合法 Improform		無理由 Groundless		發回更審 Referred back to previous court for new trial		自為判決 Supreme Court itself renders a judgment			
		全部 All	部分 Part	全部 All	部分 Part	全部 All	部分 Part	全部 All	部分 Part		
妨害名譽及信用罪 Offenses against personal reputation & credits	10	6	-	-	-	4	-	-	-	-	-
妨害秘密罪 Offenses relating to protection of secrets	6	5	0.5	-	-	-	0.5	-	-	-	-
竊盜罪 Offenses of larceny	14	11	-	-	-	2	-	1	-	-	-
普通竊盜竊占 Common theft and theft of movables or immovables	5	4	-	-	-	1	-	-	-	-	-
加重竊盜 Severe theft	9	7	-	-	-	1	-	1	-	-	-
常業竊盜 Occupational theft	-	-	-	-	-	-	-	-	-	-	-
強盜罪 Offenses of robbery	122	105	3.0	1	-	9	1.0	-	2.0	-	1
搶奪及海盜罪 Offenses of snatch of property and piracy	10	10	-	-	-	-	-	-	-	-	-
侵占罪 Offenses of misappropriation	26	22	0.5	-	-	3	0.5	-	-	-	-
普通侵占 Common embezzlement	10	9	-	-	-	1	-	-	-	-	-
公務公益侵占 Official embezzlement	4	2	-	-	-	2	-	-	-	-	-
業務侵占 Occupational embezzlement	11	10	0.5	-	-	-	0.5	-	-	-	-
侵占遺失物 Embezzlement of lost articles	1	1	-	-	-	-	-	-	-	-	-
詐欺罪 Offenses of fraud	944	553	63.0	-	-	242	61.0	2	3.0	17	3
一般詐欺 Common fraud	944	553	63.0	-	-	242	61.0	2	3.0	17	3
常業詐欺 Occupational fraud	-	-	-	-	-	-	-	-	-	-	-
背信罪 Offenses of breach of trust	8	6	-	-	-	2	-	-	-	-	-
重利罪 Offenses of usury	4	4	-	-	-	-	-	-	-	-	-
恐嚇取財罪 Offenses of obtaining property by threats	13	12	-	-	-	-	-	-	-	1	-
擄人勒贖罪 Offenses of kidnapping for ransom	3	3	-	-	-	-	-	-	-	-	-
贓物罪 Offenses relating to illegally obtained property	1	-	-	-	-	1	-	-	-	-	-
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	9	9	-	-	-	-	-	-	-	-	-
妨害電腦使用罪 Offenses of impairment to use of computers	3	1	0.5	-	-	1	0.5	-	-	-	-



### 11.最高法院刑事上訴案件終結情形—按罪名別分(續六)

11. State of Criminal Appeals Cases Terminated by Supreme Court - by Crime Type (Cont. 6)

中華民國 109 年 (2020)

單位：件 (Unit: case)

罪名別 Crime type	合計 Total	駁回上訴 Appeals dismissed				撤銷原判 Revocation of previous judgment				撤回 With-drawn	其他 Other
		不合法 Improform		無理由 Groundless		發回更審 Referred back to previous court for new trial		自為判決 Supreme Court itself renders a judgment			
		全部 All	部分 Part	全部 All	部分 Part	全部 All	部分 Part	全部 All	部分 Part		
違反各種稅法 Violation of various taxation laws	3	1	0.5	-	-	1	0.5	-	-	-	-
違反菸酒管理法 Violation of the tobacco and alcohol management law	-	-	-	-	-	-	-	-	-	-	-
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	3	2	-	-	-	-	-	-	-	1	-
違反醫師法 Violation of the physicians law	15	13	-	-	-	2	-	-	-	-	-
違反藥事法 Violation of the pharmaceutical affairs act	41	33	1.0	-	-	6	0.5	-	0.5	-	-
偽藥 Counterfeit medicine	41	33	1.0	-	-	6	0.5	-	0.5	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-
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	11	7	0.5	-	-	3	0.5	-	-	-	-
違法重製罪 Offense of unlawful reproduction	9	6	0.5	-	-	2	0.5	-	-	-	-
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	2	1	-	-	-	1	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-	-
虛偽記載登記罪 Offense of false entry or registration	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-
違反建築法 Violation of the building law	-	-	-	-	-	-	-	-	-	-	-
違反公平交易法 Violation of the fair trade act	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	1	1	-	-	-	-	-	-	-	-	-
違反水污染防治法 Violation of the water pollution control law	2	1	-	-	-	1	-	-	-	-	-
違反兩岸關係條例 Violation of the cross-strait relations act	15	12	1.0	-	-	1	0.5	-	0.5	-	-

11.最高法院刑事上訴案件終結情形—按罪名別分(續七完)

11. State of Criminal Appeals Cases Terminated by Supreme Court - by Crime Type (Cont. End)

中華民國 109 年 (2020)

單位：件 (Unit: case)

罪名別 Crime type	合計 Total	駁回上訴 Appeals dismissed				撤銷原判 Revocation of previous judgment				撤回 Withdrawn	其他 Other
		不合法 Improform		無理由 Groundless		發回更審 Referred back to previous court for new trial		自為判決 Supreme Court itself renders a judgment			
		全部 All	部分 Part	全部 All	部分 Part	全部 All	部分 Part	全部 All	部分 Part		
違反公司法 Violation of the company law	9	8	0.5	-	-	-	0.5	-	-	-	-
違反食品安全衛生管理法 Violation of the food sanitation control law	6	5	-	-	-	1	-	-	-	-	-
違反專利法 Violation of the patent law	-	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-	-
違反商標法 Violation of the trademark law	3	2	-	-	-	1	-	-	-	-	-
侵害他人商標罪 Offense of trademark infringement	2	1	-	-	-	1	-	-	-	-	-
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	1	1	-	-	-	-	-	-	-	-	-
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 controlling guns, ammunition and knives act	382	345	3.0	-	-	20	3.0	4	-	7	-
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-	-	-
違反銀行法 Violation of the banking law	56	33	2.0	-	-	17	2.0	2	-	-	-
違反選舉罷免法 Violation of the election and recall law	74	56	2.0	-	-	14	1.5	-	0.5	-	-
違反兒童及少年性剝削防制條例 Violation of the child and youth sexual exploitation prevention act	53	49	1.0	-	-	1	1.0	1	-	-	-
違反兒童及少年福利與權益保障法 Violation of the protection of children and youths welfare and rights act	-	-	-	-	-	-	-	-	-	-	-
違反洗錢防制法 Violation of the Money Laundering Control Act	27	19	-	-	-	8	-	-	-	-	-
違反資恐防制法 Violation of Countering the Financing of Terrorism Act	-	-	-	-	-	-	-	-	-	-	-
其他 Other	239	164	17.0	-	-	38	17.0	-	1.0	2	-
併案裁判 Consolidated judgments	241	169	23.5	-	-	23	24.0	-	0.5	1	-