89.地方法院提審案件終結情形－按逮捕拘禁原因分

中華民國 107 年

單位：件

逮捕拘禁原因別 Grounds of Arrest or Detention	終結情形 State of closed cases						
	合計 Total	不應逮捕、拘禁應即釋放 Shall not be Arrested or Detained and Shall be Released	駁回 Dismissed	提審票正本卷宗併送應解交法院 Forwarded the writ of habeas corpus and the dossier to the court	部分釋放部分駁回 Partially Released and Partially Denied	撤回 Withdrawn	其他 Other
總計 Total	**538**	**20**	**314**	**-**	**-**	**202**	**2**
民事計 Subtotal of civil Cases	-	-	-	-	-	-	-
民事訴訟法 Code of Civil Procedure	-	-	-	-	-	-	-
非訟事件法 Non-Litigation Matters Act	-	-	-	-	-	-	-
強制執行法 Compulsory Enforcement Act	-	-	-	-	-	-	-
破產法 Bankruptcy Act	-	-	-	-	-	-	-
消費者債務清理條例 Statute for Consumer Debt Clearance	-	-	-	-	-	-	-
行政執行法 Administrative Execution Act	-	-	-	-	-	-	-
無逮捕、拘禁之事實 There has been proved to be no such arrest or detention as alleged	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-
家事計 Subtotal of Family Cases	78	1	68	-	-	8	1
家事事件法 Family Act	-	-	-	-	-	-	-
兒童及少年福利與權益保障法 The Protection of Children and Youths Welfare and Rights Act	25	1	19	-	-	5	-
兒童及少年性剝削防制法 Child and Youth Sexual Exploitation Prevention Act	5	-	5	-	-	-	-
精神衛生法 Mental Health Act	34	-	31	-	-	2	1
身心障礙者權益保障法 Physically and Mentally Disabled Citizens Protection Act	1	-	1	-	-	-	-
老人福利法 Senior Citizens Welfare Act	-	-	-	-	-	-	-
無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged	11	-	11	-	-	-	-
其他 Other	2	-	1	-	-	1	-

89. State of Habeas Corpus Cases by the District Courts –by the Grounds of Arrest or Detention

2018

Unit: case

合計 Total	駁回原因 Causes of Dismissed							
	經法院逮捕、拘禁 (提 5.1.1) The arrest or detention was made in accordance with a court decision	依其他法律規定得聲請即時由法院審查 (提 5.1.2) In accordance with other provisions in the statutory law a person under arrest or detention may petition for a prompt court review	被逮捕、拘禁人已回復自由 (提 5.1.3) The person previously under arrest or detention has been released	被逮捕、拘禁人已死亡 (提 5.1.4) The person previously under arrest or detention has died	經法院裁判而剝奪人身自由(提 5.1.5) The alleged deprivation of physical freedom was imposed in accordance with a court decision	無逮捕、拘禁之事實 (提 5.1.6) There has been proved to be no such arrest or detention as alleged	法院審查後應予逮捕、拘禁 (提 9.1) Upon determining the arrest or detention to be devoid of a legal basis at the conclusion of the review, the court shall order the arrest or detention	其他 Other
314	**2**	**7**	**37**	**-**	**61**	**18**	**188**	**1**
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
68	-	2	1	-	8	11	46	-
-	-	-	-	-	-	-	-	-
19	-	1	1	-	6	-	11	-
5	-	-	-	-	2	-	3	-
31	-	1	-	-	-	-	30	-
1	-	-	-	-	-	-	1	-
-	-	-	-	-	-	-	-	-
11	-	-	-	-	-	11	-	-
1	-	-	-	-	-	-	1	-

89.地方法院提審案件終結情形－按逮捕拘禁原因分(續一)

中華民國 107 年　　單位：件

逮捕拘禁原因別 Grounds of Arrest or Detention	終結情形 State of closed cases						
	合計 Total	不應逮捕、拘禁應即釋放 Shall not be Arrested or Detained and Shall be Released	駁回 Dismissed	提審票正本卷宗併送應解交法院 Forwarded the writ of habeas corpus and the dossier to the court	部分釋放部分駁回 Partially Released and Partially Denied	撤回 Withdrawn	其他 Other
刑事計 Subtotal of Criminal Cases	452	17	241	-	-	193	1
刑事訴訟法 Code of Criminal Procedure	168	3	119	-	-	46	-
社會秩序法 Social Order Maintenance Act	3	-	1	-	-	2	-
家庭暴力法 Domestic Violence Prevention Act	8	-	4	-	-	4	-
性侵害犯罪防制法 Sexual Assault Prevention Act	-	-	-	-	-	-	-
刑法 Criminal Code	8	-	8	-	-	-	-
觀察勒戒處分執行條例 Act of Execution of Rehabilitation Treatment	-	-	-	-	-	-	-
組織犯罪防制條例 Organized Crime Prevention Act	-	-	-	-	-	-	-
竊盜犯贓物犯保安處分條例 Rehabilitative Measures for Burglar and Fence Criminals Act	-	-	-	-	-	-	-
無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged	7	-	7	-	-	-	-
其他 Other	258	14	102	-	-	141	1
少年計 Subtotal of Juvenile cases	1	1	-	-	-	-	-
少年事件處理法 Juvenile Proceeding Act	-	-	-	-	-	-	-
刑事訴訟法 Code of Criminal Procedure	-	-	-	-	-	-	-
觀察勒戒處分執行條例 Act of Execution of Rehabilitation Treatment	-	-	-	-	-	-	-
無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged	-	-	-	-	-	-	-
其他 Other	1	1	-	-	-	-	-

89. State of Habeas Corpus Cases by the District Courts –by the Grounds of Arrest or Detention(Cont.1)

2018 Unit: case

駁回原因 Causes of Dismissed								
合計 Total	經法院逮捕、拘禁 (提 5.1.1) The arrest or detention was made in accordance with a court decision	依其他法律規定得聲請即時由法院審查 (提 5.1.2) In accordance with other provisions in the statutory law a person under arrest or detention may petition for a prompt court review	被逮捕、拘禁人已回復自由 (提 5.1.3) The person previously under arrest or detention has been released	被逮捕、拘禁人已死亡 (提 5.1.4) The person previously under arrest or detention has died	經法院裁判而剝奪人身自由(提 5.1.5) The alleged deprivation of physical freedom was imposed in accordance with a court decision	無逮捕、拘禁之事實 (提 5.1.6) There has been proved to be no such arrest or detention as alleged	法院審查後應予逮捕、拘禁 (提 9.1) Upon determining the arrest or detention to be devoid of a legal basis at the conclusion of the review, the court shall order the arrest or detention	其他 Other
241	2	2	35	-	52	7	142	1
119	-	-	21	-	32	-	65	1
1	-	-	-	-	-	-	1	-
4	-	-	-	-	-	-	4	-
-	-	-	-	-	-	-	-	-
8	-	-	2	-	2	-	4	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
7	-	-	-	-	-	7	-	-
102	2	2	12	-	18	-	68	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-

89.地方法院提審案件終結情形－按逮捕拘禁原因分(續完)

中華民國 107 年　　單位：件

逮捕拘禁原因別 Grounds of Arrest or Detention	終結情形 State of closed cases						
	合計 Total	不應逮捕、拘禁應即釋放 Shall not be Arrested or Detained and Shall be Released	駁回 Dismissed	提審票正本卷宗併送應解交法院 Forwarded the writ of habeas corpus and the dossier to the court	部分釋放部分駁回 Partially Released and Partially Denied	撤回 Withdrawn	其他 Other
行政訴訟計 Subtotal of Administrative litigation cases	7	1	5	-	-	1	-
行政執行法 Administrative Execution Act	-	-	-	-	-	-	-
警察職權行使法 Police Power Exercise Act	-	-	-	-	-	-	-
入出國及移民法 Immigration Act	5	1	3	-	-	1	-
臺灣地區與大陸地區人民關係條例 Act Governing Relations between People of the Taiwan Area and Mainland Area	2	-	2	-	-	-	-
香港澳門關係條例 Act Governing Relations with Hong Kong and Macau	-	-	-	-	-	-	-
傳染病防治法 Communicable Disease Control Act	-	-	-	-	-	-	-
人口販運防制法 Human Trafficking Prevention Act	-	-	-	-	-	-	-
就業服務法 Employment Service Act	-	-	-	-	-	-	-
陸海空軍懲罰法 Armed Forces Punishment Act	-	-	-	-	-	-	-
無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-

89. State of Habeas Corpus Cases by the District Courts –by the Grounds of Arrest or Detention (Cont.End)

2018 Unit: case

駁回原因 Causes of Dismissed								
合計 Total	經法院逮捕、拘禁 (提 5.1.1) The arrest or detention was made in accordance with a court decision	依其他法律規定得聲請即時由法院審查 (提 5.1.2) In accordance with other provisions in the statutory law a person under arrest or detention may petition for a prompt court review	被逮捕、拘禁人已回復自由 (提 5.1.3) The person previously under arrest or detention has been released	被逮捕、拘禁人已死亡 (提 5.1.4) The person previously under arrest or detention has died	經法院裁判而剝奪人身自由(提 5.1.5) The alleged deprivation of physical freedom was imposed in accordance with a court decision	無逮捕、拘禁之事實 (提 5.1.6) There has been proved to be no such arrest or detention as alleged	法院審查後應予逮捕、拘禁 (提 9.1) Upon determining the arrest or detention to be devoid of a legal basis at the conclusion of the review, the court shall order the arrest or detention	其他 Other
5	-	3	1	-	1	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
3	-	2	-	-	1	-	-	-
2	-	1	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-