

## 14.最高法院刑事上訴案件被告裁判結果—按罪名別分

中華民國 105 年

單位：人

罪名別  Crime type	合計  Total	科刑							
		計  Subtotal	死刑  Death sentence	無期徒刑  Life sentence	有期徒刑				
					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
<b>合計</b>	<b>4 443</b>	<b>3 904</b>	<b>2</b>	<b>23</b>	<b>3 855</b>	<b>1 211</b>	<b>595</b>	<b>264</b>	<b>787</b>
普通刑法計 Subtotal of general criminal law	2 003	1 562	2	23	1 524	567	300	60	244
內亂罪 Offenses against the internal security of the state	-	-	-	-	-	-	-	-	-
外患罪 Offenses against the external security of the state	4	2	-	-	2	-	-	2	-
妨害國交罪 Offenses of interference with relations with other states	-	-	-	-	-	-	-	-	-
瀆職罪 Offenses of malfeasance in office	117	2	-	-	2	2	-	-	-
妨害公務罪 Offenses of interference with public functions	1	1	-	-	1	1	-	-	-
妨害投票罪 Offenses of interference with voting	17	16	-	-	16	16	-	-	-
妨害秩序罪 Offenses of interference with public order	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-
偽證罪 Offenses of perjury	19	12	-	-	12	12	-	-	-
誣告罪 Offenses of malicious accusation	62	40	-	-	40	39	1	-	-
公共危險罪 Offenses against public safety	129	123	-	-	123	50	56	2	11
放火 Arson	16	16	-	-	16	1	7	1	6
燒燬建築物及住宅 Destruction by fire of building and residence	12	12	-	-	12	-	4	1	6
燒燬其他物件 Destruction by fire of other objects	4	4	-	-	4	1	3	-	-
失火 Negligent fire	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-
違背建築術成規 Violation of building practice	-	-	-	-	-	-	-	-	-
妨害衛生安全 Obstruction to sanitation	5	1	-	-	1	1	-	-	-
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	107	105	-	-	105	47	49	1	5
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	12	12	-	-	12	-	3	1	5
肇事致人死傷逃逸 Hit and run	89	87	-	-	87	41	46	-	-
其他 Other	6	6	-	-	6	6	-	-	-
危險物 Hazard materials	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	-	-	-	-	-	-	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-
其他 Other	1	1	-	-	1	1	-	-	-

說明：本表僅含宣告不合法、無理由及自為判決之被告資料。

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

2016

Unit: individual

Type of sentence			免除其刑 Detention	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures		
Time imprisonments											罰金 Punitive fine	
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										
243	519	236	13	11	1	221	2	302	1	12	8	2
82	205	66	13	-	-	136	1	294	1	9	7	2
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	114	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	4	-	3	-	-	-	-
-	-	-	-	-	-	18	-	4	-	-	-	-
3	1	-	-	-	-	6	-	-	-	-	-	-
-	1	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	4	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
3	-	-	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-

Description: 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)

中華民國 105 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					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
偽造貨幣罪 Offenses of counterfeiting currency	-	-	-	-	-	-	-	-	-
偽造有價證券罪 Offenses of counterfeiting valuable securities	90	83	-	-	83	1	30	2	49
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	412	212	-	-	212	132	60	11	8
偽造變造私文書 Forgery or alteration of private documents	299	136	-	-	136	115	9	6	6
偽造變造公文書 Forgery or alteration of public documents	63	61	-	-	61	8	45	5	2
偽造變造特種文書 Forgery or alteration of special documents	1	1	-	-	1	1	-	-	-
公文書不實登載 False entry in public documents	45	12	-	-	12	6	6	-	-
使公務員登載不實 Causing a functionary to make false entries in public documents	1	1	-	-	1	1	-	-	-
業務上文書登載不實 False entry in occupational documents	1	1	-	-	1	1	-	-	-
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	2	-	-	-	-	-	-	-	-
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	319	296	-	-	296	57	31	8	124
強制性交猥褻 Forced sexual intercourse or obscene act	311	288	-	-	288	55	30	7	124
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	4	-	-	4	-	-	-	-
其他 Other	4	4	-	-	4	2	1	1	-
妨害風化罪 Offenses against sexual morality	75	73	-	-	73	67	3	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	75	73	-	-	73	67	3	1	-
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	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	2	2	-	-	2	2	-	-	-

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

2016

Unit: individual

Type of sentence			拘役	罰金	免除其刑	無罪	免訴	不受理	管轄錯誤	其他	緩刑	保安處分
Time imprisonments												
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	Detention	Punitive fine	Penalty released	Acquitted	Not prosecu- table	Case declined	Mistake in Jurisdiction	Other	Suspensi- on of punishme- nt	Re- habilitative measures
-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	-	7	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	-	47	1	149	1	2	1	-
-	-	-	-	-	-	14	1	145	1	2	-	-
-	1	-	-	-	-	-	-	2	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	-	-	-	-	31	-	2	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
7	66	3	-	-	-	21	-	2	-	-	2	2
6	66	-	-	-	-	21	-	2	-	-	2	2
1	-	3	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	2	-	-	-	-	1	-	-	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	2	-	-	-	-	1	-	-	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-

14.最高法院刑事上訴案件被告裁判結果—按罪名別分(續二)

中華民國 105 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					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
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	4	3	-	-	3	3	-	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	2	2	-	-	2	2	-	-	-
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	-	-	-
殺人罪 Offenses of homicide	203	180	2	17	161	39	4	10	7
殺人 Homicide	153	138	2	17	119	-	1	10	7
既遂 Consummation	75	73	2	17	54	-	-	1	1
普通殺人 General homicide	73	71	2	15	54	-	-	1	1
殺害直系尊親屬 Homicide of lineal ascendants by blood	2	2	-	2	-	-	-	-	-
未遂 Attempt	78	65	-	-	65	-	1	9	6
普通殺人 General homicide	76	63	-	-	63	-	1	9	6
殺害直系尊親屬 Homicide of lineal ascendants by blood	2	2	-	-	2	-	-	-	-
過失致死 Manslaughter	50	42	-	-	42	39	3	-	-
一般過失致人於死 General negligent killing	1	1	-	-	1	1	-	-	-
醫療業務過失致人於死 Occupational negligent killing by a physician	6	-	-	-	-	-	-	-	-
密醫過失致人於死 Negligent killing by an unlicensed physician	-	-	-	-	-	-	-	-	-
交通業務過失致人於死 Occupational negligent killing by a driver	30	28	-	-	28	25	3	-	-
交通一般過失致人於死 General negligent killing by a driver	1	1	-	-	1	1	-	-	-
其他業務過失致人於死 Other occupational negligent killing	12	12	-	-	12	12	-	-	-

**14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court  
- by Crime Type(Cont. 2)**

2016

Unit: individual

Type of sentence			拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures
Time imprisonments												
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										
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
46	10	45	-	-	-	11	-	12	-	-	3	-
46	10	45	-	-	-	3	-	12	-	-	-	-
4	4	44	-	-	-	2	-	-	-	-	-	-
4	4	44	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
42	6	1	-	-	-	1	-	12	-	-	-	-
41	5	1	-	-	-	1	-	12	-	-	-	-
1	1	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	8	-	-	-	-	3	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	6	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	2	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-

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 105 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					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
傷 害 Offenses of causing bodily harm	90	85	-	-	79	10	4	3	16
傷 害 直 系 尊 親 屬 Bodily harm of lineal ascendants by blood	2	2	-	-	2	1	-	-	-
重 傷 Serious bodily harm	8	7	-	-	7	-	-	1	2
傷 害 致 死 Bodily harm resulting in death	44	44	-	-	44	-	-	-	3
醫 療 業 務 過 失 傷 害 Occupational negligent bodily harm by a physician	2	-	-	-	-	-	-	-	-
密 醫 過 失 傷 害 Negligent bodily harm by an unlicensed physician	-	-	-	-	-	-	-	-	-
交 通 業 務 過 失 傷 害 Occupational negligent bodily harm by a driver	2	2	-	-	2	2	-	-	-
交 通 一 般 過 失 傷 害 General negligent bodily harm by a driver	1	1	-	-	1	1	-	-	-
其 他 業 務 過 失 傷 害 Other occupational negligent bodily harm	-	-	-	-	-	-	-	-	-
其 他 Other	31	29	-	-	23	6	4	2	11
墮 胎 罪 Offenses of abortion	-	-	-	-	-	-	-	-	-
遺 棄 罪 Offenses of abandonment	3	3	-	-	3	2	-	-	-
妨 害 自 由 罪 Offenses against personal liberty	78	73	-	-	68	47	9	7	4
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	-	-	-	-	-	-	-	-	-
略 誘 罪 Abduction	-	-	-	-	-	-	-	-	-
剝 奪 行 動 自 由 Deprivation of freedom of movement	74	69	-	-	64	43	9	7	4
強 制 罪 Coercion offense	3	3	-	-	3	3	-	-	-
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	1	-	-	-
違 法 搜 索 Illegal search	-	-	-	-	-	-	-	-	-

**14. Results of Judgments and Rulings of Criminal Appeal Cases Concluded by Supreme Court  
- by Crime Type(Cont. 3)**

2016

Unit: individual

Type of sentence			拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures
Time imprisonments												
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										
5	32	9	6	-	-	2	-	3	-	-	-	-
-	1	-	-	-	-	-	-	-	-	-	-	-
4	-	-	-	-	-	-	-	1	-	-	-	-
1	31	9	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	6	-	-	-	-	2	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	-	-	-	-	-	-	-	-
-	-	1	5	-	-	3	-	2	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	1	5	-	-	3	-	2	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
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-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-



14.最高法院刑事上訴案件被告裁判結果—按罪名別分(續四)

中華民國 105 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					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
妨害名譽及信用罪 Offenses against personal reputation & credits	1	1	-	-	-	-	-	-	-
妨害秘密罪 Offenses relating to protection of secrets	2	2	-	-	2	2	-	-	-
竊盜罪 Offenses of larceny	9	8	-	-	8	8	-	-	-
普通竊盜竊占 Common theft and theft of movables or immovables	3	2	-	-	2	2	-	-	-
加重竊盜罪 Severe theft	6	6	-	-	6	6	-	-	-
常業竊盜罪 Occupational theft	-	-	-	-	-	-	-	-	-
強盜罪 Offenses of robbery	149	147	-	5	142	-	3	3	21
搶奪及海盜罪 Offenses of snatch of property and piracy	16	16	-	-	16	8	7	-	1
侵占罪 Offenses of misappropriation	22	15	-	-	15	5	5	5	-
普通侵占罪 Common embezzlement	2	-	-	-	-	-	-	-	-
公務公益侵占罪 Official embezzlement	4	2	-	-	2	-	2	-	-
業務侵占罪 Occupational embezzlement	16	13	-	-	13	5	3	5	-
侵占遺失物罪 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-
詐欺罪 Offenses of fraud	137	135	-	-	135	42	87	4	1
一般詐欺罪 Common fraud	136	134	-	-	134	42	87	4	1
常業詐欺罪 Occupational fraud	1	1	-	-	1	-	-	-	-
背信罪 Offenses of breach of trust	3	3	-	-	3	1	-	2	-
重利罪 Offenses of usury	2	2	-	-	2	2	-	-	-
恐嚇取財罪 Offenses of obtaining property by threats	13	13	-	-	13	13	-	-	-
擄人勒贖罪 Offenses of kidnapping for ransom	8	7	-	1	6	-	-	-	2
贓物罪 Offenses relating to illegally obtained property	2	1	-	-	1	1	-	-	-
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	10	3	-	-	3	3	-	-	-
妨害電腦使用罪 Offenses of impairment to use of computers	2	1	-	-	-	-	-	-	-

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

2016

Unit: individual

Type of sentence			免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures
Time imprisonments										
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								
-	-	-	1	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
20	88	7	-	-	2	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	3	-	4	-	-	-
-	-	-	-	-	2	-	-	-	-	-
-	-	-	-	-	-	-	2	-	-	-
-	-	-	-	-	1	-	2	-	-	-
-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	2	-	-	-	-	-
-	-	-	-	-	2	-	-	-	-	-
1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	3	1	-	-	1	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	1	-	-	6	-	-
-	-	-	1	-	-	-	1	-	-	-

14.最高法院刑事上訴案件被告裁判結果—按罪名別分(續五)

中華民國 105 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					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
<b>特別刑事法令計</b> Subtotal of special criminal law	<b>2 440</b>	<b>2 342</b>	-	-	<b>2 331</b>	<b>644</b>	<b>295</b>	<b>204</b>	<b>543</b>
貪污治罪條例 Punishment of corruption act	189	150	-	-	150	16	26	13	31
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	-	-	-	-	-	-	-	-	-
違反電信法 Violation of the telecommunications act	-	-	-	-	-	-	-	-	-
違反糧食管理法 Violation of the grain control law	-	-	-	-	-	-	-	-	-
違反國家總動員法 Violation of the national general mobilization law	-	-	-	-	-	-	-	-	-
懲治走私條例 Punishment of smuggling act	-	-	-	-	-	-	-	-	-
違反森林法 Violation of the forestry law	42	41	-	-	41	27	13	1	-
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	1 448	1 427	-	-	1 427	407	93	120	289
製造運輸販賣 Manufacture, transport, or sale	1 004	987	-	-	987	6	63	120	287
施用 Use	392	390	-	-	390	371	19	-	-
其他 Other	52	50	-	-	50	30	11	-	2
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	-	-	-	-	-	-	-	-	-
違反電業法 Violation of the electricity management law	1	1	-	-	1	1	-	-	-
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-

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

2016

Unit: individual

Type of sentence			拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures
Time imprisonments												
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										
161	314	170	-	11	1	85	1	8	-	3	1	-
29	29	6	-	-	1	37	-	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
86	270	162	-	-	-	17	-	2	-	2	-	-
84	267	160	-	-	-	14	-	1	-	2	-	-
-	-	-	-	-	-	1	-	1	-	-	-	-
2	3	2	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-

14.最高法院刑事上訴案件被告裁判結果—按罪名別分(續六)

中華民國 105 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					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
違反各種稅法 Violation of various taxation laws	2	2	-	-	2	2	-	-	-
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	-	-	-	-	-	-	-	-	-
違反醫師法 Violation of the physicians law	2	-	-	-	-	-	-	-	-
違反藥事法 Violation of the pharmaceutical affairs act	48	48	-	-	47	43	4	-	-
偽藥 Counterfeit medicine	47	47	-	-	47	43	4	-	-
其他 Other	1	1	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	1	1	-	-	1	-	-	-	-
違反著作權法 Violation of the copyright law	15	10	-	-	9	6	3	-	-
違法重製罪 Offense of unlawful reproduction	12	9	-	-	8	5	3	-	-
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	3	1	-	-	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	1	1	-	-	1	-	-	-	-
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	-	-	-
違反野生動物保育法 Violation of the wildlife conservation law	1	1	-	-	1	-	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	47	47	-	-	47	11	11	1	23

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

2016

Unit: individual

Type of sentence			拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures
Time imprisonments												
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										
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
-	-	-	-	1	-	-	-	-	-	-	-	-
-	-	-	-	1	-	-	-	-	-	-	-	-
-	1	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	1	-	5	-	-	-	-	-	-
-	-	-	-	1	-	3	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	-	-	-	-	-	-	-

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)

中華民國 105 年

單位：人

罪名別 Crime type	合計 Total	科刑							
		計 Subtotal	死刑 Death sentence	無期徒刑 Life sentence	有期徒刑				
					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
違反公司法 Violation of the company law	11	11	-	-	11	9	2	-	-
違反食品安全衛生管理法 Violation of the food sanitation control law	1	1	-	-	1	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	-	-	-	-	-	-	-	-	-
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	-
販賣陳列輸出仿冒商標罪 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	-	-	-	-	-	-	-	-	-
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	215	214	-	-	214	11	33	28	101
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	76	72	-	-	71	5	21	11	24
違反選舉罷免法 Violation of the election and recall law	85	78	-	-	78	8	25	14	31
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	46	46	-	-	46	7	5	2	30
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	3	-	-	-	-	-	-	-	-
違反資恐防制法 Violation of Countering the Financing of Terrorism Act	-	-	-	-	-	-	-	-	-
其他 Other	204	189	-	-	181	88	58	14	14

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

2016

Unit: individual

Type of sentence			免除其刑 Penalty released	無罪 Acquitted	免訴 Not prosecutable	不受理 Case declined	管轄錯誤 Mistake in Jurisdiction	其他 Other	緩刑 Suspension of punishment	保安處分 Rehabilitative measures
Time imprisonments										
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								
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
38	3	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
2	8	-	-	1	-	3	-	-	1	-
-	-	-	-	-	-	7	-	-	-	-
1	-	1	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-
3	3	1	-	8	-	10	-	5	-	1