

14.最高法院刑事上訴確定案件裁判結果－按罪名別分

中華民國 100 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
合計 Total	8 420	7 605	16	47	7 514	2 406	907	420	1 320
普通刑法計 Subtotal of general criminal law	3 720	3 251	16	34	3 187	1 293	441	135	538
內亂罪 Offenses against the internal security of the state	-	-	-	-	-	-	-	-	-
外患罪 Offenses against the external security of the state	1	-	-	-	-	-	-	-	-
妨害國際交際罪 Offenses of interference with relations with other states	-	-	-	-	-	-	-	-	-
瀆職罪 Offenses of malfeasance in office	43	8	-	-	8	8	-	-	-
妨害公務罪 Offenses of interference with public functions	5	4	-	-	4	4	-	-	-
妨害投票罪 Offenses of interference with voting	75	63	-	-	63	61	2	-	-
妨害秩序罪 Offenses of interference with public order	1	1	-	-	1	1	-	-	-
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	2	2	-	-	2	2	-	-	-
偽證罪 Offenses of perjury	84	71	-	-	71	69	2	-	-
誣告罪 Offenses of malicious accusation	117	71	-	-	71	68	-	2	1
公共危險罪 Offenses against public safety	159	156	-	-	155	109	19	1	20
放火 Arson	44	42	-	-	42	-	15	1	20
燒燬建築物及住宅 Destruction by fire of building and residence	34	33	-	-	33	-	7	1	19
燒燬其他物件 Destruction by fire of other objects	10	9	-	-	9	-	8	-	1
失火 Negligent fire	1	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	1	1	-	-	-	-	-	-	-
違背建築術成規 Violation of building practice	-	-	-	-	-	-	-	-	-
妨害衛生安全 Obstruction to sanitation	-	-	-	-	-	-	-	-	-
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	114	113	-	-	113	109	4	-	-
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	2	2	-	-	2	2	-	-	-
肇事致人死傷逃逸 Hit and run	106	106	-	-	106	102	4	-	-
其他 Other	6	5	-	-	5	5	-	-	-
危險物 Hazard materials	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	-	-	-	-	-	-	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-

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

2011

Unit: individual

Type of sentence			免刑 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											拘役 Detention	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										
599	1 055	807	17	11	1	635	11	158	2	8	5	-
176	472	132	13	1	-	320	5	142	1	1	3	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	1	-	-	-
-	-	-	-	-	-	-	-	35	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	12	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	9	-	4	-	-	1	-
-	-	-	-	-	-	35	2	9	-	-	-	-
3	3	-	1	-	-	3	-	-	-	-	-	-
3	3	-	-	-	-	2	-	-	-	-	-	-
3	3	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	1	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	1	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果—按罪名別分(續一)

中華民國 100 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	7	4	-	-	4	-	-	2	2
偽造有價證券罪 Offenses of counterfeiting valuable securities	182	168	-	-	168	18	48	9	91
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	682	529	-	-	529	335	150	29	15
偽造變造私文書 Forgery or alteration of private documents	440	341	-	-	341	273	37	21	10
偽造變造公文書 Forgery or alteration of public documents	155	132	-	-	132	24	95	8	5
偽造變造特種文書 Forgery or alteration of special documents	2	2	-	-	2	2	-	-	-
公文書不實登載 False entry in public documents	54	29	-	-	29	14	15	-	-
使公務員登載不實 Causing a functionary to make false entries in public documents	15	10	-	-	10	10	-	-	-
業務上文書登載不實 False entry in occupational documents	8	8	-	-	8	7	1	-	-
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	1	-	-	-	-	-	-	-	-
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	7	7	-	-	7	5	2	-	-
妨害性自主罪 Offenses against sexual autonomy	638	588	-	2	586	85	43	28	282
強制性交猥褻 Forced sexual intercourse or obscene act	632	583	-	-	583	84	42	27	282
強制性交猥褻之殺人或重傷 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act	2	2	-	2	-	-	-	-	-
其他 Other	4	3	-	-	3	1	1	1	-
妨害風化罪 Offenses against sexual morality	113	112	-	-	112	91	9	2	2
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	113	112	-	-	112	91	9	2	2
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	1	-	-	-	-	-	-	-	-

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

2011

Unit: individual

Type of sentence			免刑 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	-	2	-	-	-
2	-	-	-	-	14	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	98	-	55	-	1	-
-	-	-	-	-	80	-	19	-	-	-
-	-	-	-	-	1	-	22	-	1	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	13	-	12	-	-	-
-	-	-	-	-	3	-	2	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
29	113	6	-	-	40	-	10	-	-	-
29	113	6	-	-	39	-	10	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-
4	4	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
4	4	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果－按罪名別分(續二)

中華民國 100 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	3	3	-	-	3	-	3	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	3	3	-	-	2	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	2	2	-	-	2	1	1	-	-
殺人罪 Offenses of homicide	357	321	10	25	286	41	19	27	11
殺人 Homicide	272	264	10	25	229	2	3	25	11
既遂 Consummation	141	134	10	23	101	1	2	2	2
普通殺人 General homicide	138	131	10	21	100	1	2	2	2
殺害直系尊親屬 Homicide of lineal ascendants by blood	3	3	-	2	1	-	-	-	-
未遂 Attempt	131	130	-	2	128	1	1	23	9
普通殺人 General homicide	129	128	-	2	126	1	1	23	9
殺害直系尊親屬 Homicide of lineal ascendants by blood	2	2	-	-	2	-	-	-	-
過失致死 Manslaughter	85	57	-	-	57	39	16	2	-
一般過失致人於死 General negligent killing	1	1	-	-	1	-	1	-	-
醫師業務過失致人於死 Occupational negligent killing by a physician	9	3	-	-	3	3	-	-	-
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	37	33	-	-	33	25	7	1	-
交通一般過失致人於死 General negligent killing by a driver	6	6	-	-	6	2	4	-	-
其他業務過失致人於死 Other occupational negligent killing	32	14	-	-	14	9	4	1	-

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

2011

Unit: individual

Type of sentence			拘役 Detention	罰金 Punitive fine	免刑 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	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
71	31	86	-	-	-	35	1	-	-	-	1	-
71	31	86	-	-	-	7	1	-	-	-	-	-
5	9	80	-	-	-	6	1	-	-	-	-	-
5	9	79	-	-	-	6	1	-	-	-	-	-
-	-	1	-	-	-	-	-	-	-	-	-	-
66	22	6	-	-	-	1	-	-	-	-	-	-
66	21	5	-	-	-	1	-	-	-	-	-	-
-	1	1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	28	-	-	-	-	1	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	6	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	4	-	-	-	-	1	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	18	-	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果—按罪名別分(續三)

中華民國 100 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	213	201	-	-	197	23	30	5	56
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	4	4	-	-	3	2	-	-	-
重傷 Serious bodily harm	13	13	-	-	13	-	4	1	1
傷害致死 Bodily harm resulting in death	99	98	-	-	98	-	1	-	23
醫師業務過失傷害 Occupational negligent bodily harm by a physician	1	-	-	-	-	-	-	-	-
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	1	1	-	-	1	1	-	-	-
交通一般過失傷害 General negligent bodily harm by a driver	3	2	-	-	2	2	-	-	-
其他業務過失傷害 Other occupational negligent bodily harm	-	-	-	-	-	-	-	-	-
其他 Other	92	83	-	-	80	18	25	4	32
墮胎 Offenses of abortion	3	3	-	-	3	2	1	-	-
遺棄 Offenses of abandonment	-	-	-	-	-	-	-	-	-
妨害自由 Offenses against personal liberty	230	201	-	-	194	167	22	3	1
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 Abduction	-	-	-	-	-	-	-	-	-
剝奪行動自由 Deprivation of freedom of movement	199	179	-	-	175	148	22	3	1
強制 Coercion offense	18	12	-	-	12	12	-	-	-
恐嚇危害安全 Obstruction of safety by threat	13	10	-	-	7	7	-	-	-
侵入或滯留 Trespassing on, or lingering in, a property	-	-	-	-	-	-	-	-	-
違法搜索 Illegal search	-	-	-	-	-	-	-	-	-

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

2011

Unit: individual

Type of sentence			免刑 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											拘役 Detention	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										
8	65	10	4	-	-	4	-	8	-	-	-	-
-	-	1	1	-	-	-	-	-	-	-	-	-
3	3	1	-	-	-	-	-	-	-	-	-	-
4	62	8	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	3	-	-	1	-	8	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	7	-	-	17	1	11	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	4	-	-	16	-	4	-	-	-	-
-	-	-	-	-	-	1	-	5	-	-	-	-
-	-	-	3	-	-	-	1	2	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果—按罪名別分(續四)

中華民國 100 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	5	2	-	-	1	1	-	-	-
妨害秘密罪 Offenses relating to protection of secrets	5	4	-	-	4	2	2	-	-
竊盜罪 Offenses of larceny	36	32	-	-	32	21	8	2	1
普通竊盜竊占 Common theft and theft of movables or immovables	14	12	-	-	12	10	2	-	-
加重竊盜罪 Severe theft	17	15	-	-	15	8	5	1	1
常業竊盜罪 Occupational theft	5	5	-	-	5	3	1	1	-
強盜罪 Offenses of robbery	367	358	4	5	349	1	2	1	35
搶奪及海盜罪 Offenses of snatch of property and piracy	52	51	-	-	51	27	21	2	1
侵占罪 Offenses of misappropriation	35	33	-	-	33	25	3	1	3
普通侵占 Common embezzlement	5	5	-	-	5	5	-	-	-
公務公益侵占 Official embezzlement	3	3	-	-	3	2	-	-	1
業務侵占 Occupational embezzlement	27	25	-	-	25	18	3	1	2
侵占遺失物 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-
詐欺罪 Offenses of fraud	166	143	-	-	143	77	38	15	11
一般詐欺 Common fraud	74	55	-	-	55	43	10	2	-
常業詐欺 Occupational fraud	92	88	-	-	88	34	28	13	11
背信罪 Offenses of breach of trust	19	11	-	-	11	5	2	1	3
重利罪 Offenses of usury	9	8	-	-	8	6	2	-	-
恐嚇取財罪 Offenses of obtaining property by threats	42	42	-	-	42	24	13	5	-
擄人勒贖罪 Offenses of kidnapping for ransom	40	38	2	2	34	-	-	-	3
贓物罪 Offenses relating to illegally obtained property	2	2	-	-	2	2	-	-	-
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	11	10	-	-	10	9	1	-	-
妨害電腦使用罪 Offenses of impairment to use of computers	12	8	-	-	8	8	-	-	-

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

2011

Unit: individual

Type of sentence			免刑 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	-	-	-	3	-	-	-
-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	3	-	-	1	-	-
-	-	-	-	-	2	-	-	-	-	-
-	-	-	-	-	1	-	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-
51	243	16	-	-	8	-	1	-	-	-
-	-	-	-	-	1	-	-	-	-	-
1	-	-	-	-	2	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	2	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
2	-	-	-	-	22	-	1	-	-	-
-	-	-	-	-	19	-	-	-	-	-
2	-	-	-	-	3	-	1	-	-	-
-	-	-	-	-	7	1	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
4	13	14	-	-	2	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	1	-	3	-	-	-

14.最高法院刑事上訴確定案件裁判結果—按罪名別分(續五)

中華民國 100 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
特別刑事法令計 Sub-total of special criminal law	4 700	4 354	-	13	4 327	1 113	466	285	782
貪污治罪條例 Punishment of corruption act	363	217	-	-	217	37	32	28	26
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	2	2	-	-	2	2	-	-	-
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	78	77	-	-	74	72	2	-	-
違反森林法 Violation of the forestry law	38	38	-	-	38	35	2	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	2 819	2 749	-	11	2 738	589	149	180	419
製造運輸販賣 Manufacture, transport, or sale	2 149	2 083	-	10	2 073	7	82	172	417
施用 Use	594	592	-	-	592	548	44	-	-
其他 Other	76	74	-	1	73	34	23	8	2
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	3	2	-	-	2	1	1	-	-
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	-	-	-	-	-	-	-	-	-
違反勞工安全衛生法 Violation of the labor safety and health law	1	-	-	-	-	-	-	-	-

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

2011

Unit: individual

Type of sentence			拘役 Detention	罰金 Punitive fine	免刑 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										
423	583	675	4	10	1	315	6	16	1	7	2	-
33	24	37	-	-	1	138	3	3	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	2	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	3	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
243	526	632	-	-	-	61	1	5	1	2	-	-
237	526	632	-	-	-	60	1	2	1	2	-	-
-	-	-	-	-	-	-	-	2	-	-	-	-
6	-	-	-	-	-	1	-	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	1	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果－按罪名別分(續六)

中華民國 100 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	9	7	-	-	7	7	-	-	-
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	6	6	-	-	6	-	-	-	2
違反醫師法 Violation of the physicians law	15	13	-	-	13	9	2	2	-
違反藥事法 Violation of the pharmaceutical affairs act	73	67	-	-	66	53	9	2	1
偽藥 Counterfeit medicine	73	67	-	-	66	53	9	2	1
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	36	20	-	-	17	15	2	-	-
違法重製罪 Offence of unlawful reproduction	25	12	-	-	9	9	-	-	-
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	4	3	-	-	3	3	-	-	-
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	-	-	-	-	-	-	-	-	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	7	5	-	-	5	3	2	-	-
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	-	-	-	-	-	-	-	-	-
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	12	10	-	-	10	9	1	-	-
違反野生動物保育法 Violation of the wildlife conservation law	3	3	-	-	3	3	-	-	-
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	78	76	-	-	76	38	25	1	12

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

2011

Unit: individual

Type of sentence			拘役 Detention	罰金 Punitive fine	免刑 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	3	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
1	-	-	-	1	-	5	-	1	-	-	-	-
1	-	-	-	1	-	5	-	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	3	-	16	-	-	-	-	-	-
-	-	-	-	3	-	13	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	1	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果－按罪名別分(續七完)

中華民國 100 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	24	18	-	-	18	17	1	-	-
違反食品衛生管理法 Violation of the food sanitation control law	-	-	-	-	-	-	-	-	-
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	459	445	-	2	443	13	50	38	189
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	80	79	-	-	79	11	28	2	28
違反選舉罷免法 Violation of the election and recall law	172	142	-	-	142	16	59	14	52
違反兒童及少年性交易防制條例 Violation of the children's and juvenile's sexual transaction prevention act	81	79	-	-	79	7	11	6	41
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	9	2	-	-	2	2	-	-	-
其他 Other	338	301	-	-	294	176	92	11	12

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

2011

Unit: individual

Type of sentence			免刑 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								
-	-	-	-	-	6	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
124	25	4	-	-	11	1	1	-	1	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-
5	3	2	-	-	1	-	-	-	-	-
1	-	-	-	-	30	-	-	-	-	-
13	1	-	-	-	1	-	-	-	1	-
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	4	1	2	-	-	-
2	1	-	1	6	32	-	3	-	2	-