

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分

中華民國 98 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數														免除 其刑 Penalty releas- ed	無罪 Acquit- ted
		合計		上訴駁回 Appeals dismissed													
		Total	科刑 Individuals Sentenced											拘役 Deten- tion	罰金 Punitiv- e fine		
			死刑 Death Sent- ence	無期 徒 刑 Life Sent- ence	有期徒刑 Timed imprisonment												
		六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 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 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 年至 十五 年 以下 Over 10 years to 15 years	逾十 五年 以下 Over 15 years							
合計 Total	22 196	32 166	3	39	3 805	4 572	921	163	658	258	494	135	212	685	104	3	5 590
普通刑法 Subtotal of general criminal law	13 319	20 033	3	23	3 133	2 038	454	81	323	108	342	88	11	652	86	3	4 283
瀆職罪 Offenses of malfeasance in office	21	71	-	-	7	2	-	-	-	-	-	-	-	-	-	-	10
妨害公務罪 Offenses of interference with public functions	81	97	-	-	31	4	-	-	-	-	-	-	-	15	1	-	17
妨害投票罪 Offenses of interference with voting	25	318	-	-	37	1	-	-	-	-	-	-	-	-	-	-	125
妨害秩序罪 Offenses of interference with public order	3	4	-	-	1	-	-	-	-	-	-	-	-	-	-	-	3
脫逃罪 Offenses of escape	3	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	15	43	-	-	11	1	1	-	-	-	-	-	-	3	-	-	9
偽證罪 Offenses of perjury	145	209	-	-	61	19	1	-	-	-	-	-	-	-	-	-	51
誣告罪 Offenses of malicious accusation	206	284	-	-	46	9	1	-	-	-	-	-	-	2	-	-	98
公共危險罪 Offenses against public safety	621	674	-	-	128	198	14	1	13	2	2	-	-	8	3	-	98
放火 Arson	72	77	-	-	5	1	9	1	12	2	2	-	-	-	-	-	9
燒燬建築物及住宅 Destruction by fire of building and residence	53	57	-	-	3	-	5	1	12	2	2	-	-	-	-	-	5
燒燬其他物件 Destruction by fire of other objects	19	20	-	-	2	1	4	-	-	-	-	-	-	-	-	-	4
失火 Negligent fire	24	29	-	-	6	2	-	-	-	-	-	-	-	3	-	-	10
燒燬建築物及住宅 Destruction by fire of building and residence	19	24	-	-	6	2	-	-	-	-	-	-	-	1	-	-	7
燒燬其他物件 Destruction by fire of other objects	5	5	-	-	-	-	-	-	-	-	-	-	-	2	-	-	3
違背建築術成規 Violation of building practice	2	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5
妨害衛生 Obstruction to sanitation	3	5	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
漏逸氣體 Gas leak	2	2	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	516	536	-	-	117	194	5	-	-	-	-	-	-	5	3	-	63
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	138	142	-	-	40	47	-	-	-	-	-	-	-	5	3	-	15
肇事致人死傷逃逸 Hit and run	351	351	-	-	64	147	5	-	-	-	-	-	-	-	-	-	40
其他 Other	27	43	-	-	13	-	-	-	-	-	-	-	-	-	-	-	8
危險物 Hazard materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	2	18	-	-	-	-	-	-	-	-	-	-	-	-	-	-	11

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type

2009

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 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 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
70	248	55	29	99	944	447	261	81	359	204	467	120	300	54	11	1	65	
49	223	15	27	44	809	313	145	37	142	56	229	36	7	50	8	-	30	
-	42	-	-	-	1	-	-	1	-	-	-	-	-	-	-	-	-	
-	1	-	-	-	5	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	53	-	-	-	-	-	-	-	-	-	-	-	2	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
-	7	-	-	-	7	2	-	-	-	-	-	-	-	-	-	-	-	
1	10	-	-	-	5	1	-	-	-	-	-	-	-	-	-	-	1	
1	1	-	-	-	8	16	3	1	5	1	-	-	-	-	-	-	3	
-	-	-	-	-	-	1	2	1	4	1	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	1	1	4	1	-	-	-	-	-	-	-	
-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	
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-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1	1	-	-	-	6	15	1	-	1	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1	1	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	5	14	1	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	
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13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續一)

中華民國 98 年

單位：人

罪名別 Crime Type	被告人數 Defendants													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													
	科刑 Individuals Sentenced											免除其刑 Penalty released	無罪 Acquitted	
	無期徒刑 Life Sentence	有期徒刑 Timed imprisonments									拘役 Detention			罰金 Punitive fine
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years					
合計 Total	22	1 317	820	592	289	469	253	404	256	210	102	30	7	1 189
普通刑法 Subtotal of general criminal law	19	989	535	308	129	203	80	154	67	16	98	24	2	616
瀆職罪 Offenses of malfeasance in office	-	4	1	-	-	-	-	-	-	-	-	-	-	1
妨害公務罪 Offenses of interference with public functions	-	5	1	1	-	-	-	-	-	-	2	-	-	4
妨害投票罪 Offenses of interference with voting	-	28	-	-	-	-	-	-	-	-	-	-	-	20
妨害秩序罪 Offenses of interference with public order	-	-	-	-	-	-	-	-	-	-	-	-	-	-
脫逃罪 Offenses of escape	-	-	5	-	-	-	-	-	-	-	-	-	-	-
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	-	6	-	-	-	-	-	-	-	-	-	-	-	-
偽證罪 Offenses of perjury	-	19	2	-	-	-	-	-	-	-	-	-	-	15
誣告罪 Offenses of malicious accusation	-	24	4	1	-	-	-	-	-	-	-	-	-	31
公共危險罪 Offenses against public safety	1	32	8	9	1	4	-	-	-	-	9	1	-	23
放火 Arson	-	1	1	3	1	4	-	-	-	-	-	-	-	2
燒燬建築物及住宅 Destruction by fire of building and residence	-	-	-	1	1	2	-	-	-	-	-	-	-	2
燒燬其他物件 Destruction by fire of other objects	-	1	1	2	-	2	-	-	-	-	-	-	-	-
失火 Negligent fire	-	1	-	-	-	-	-	-	-	-	-	-	-	3
燒燬建築物及住宅 Destruction by fire of building and residence	-	1	-	-	-	-	-	-	-	-	-	-	-	3
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 Obstruction to sanitation	1	-	1	2	-	-	-	-	-	-	-	-	-	-
漏逸氣體 Gas leak	-	-	1	-	-	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	-	30	5	4	-	-	-	-	-	-	2	1	-	18
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	-	7	-	-	-	-	-	-	-	-	-	-	-	2
肇事致人死傷逃逸 Hit and run	-	22	5	1	-	-	-	-	-	-	-	-	-	7
其他 Other	-	1	-	3	-	-	-	-	-	-	2	1	-	9
危險物 Hazard materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	-	-	-	-	-	-	-	-	-	-	-	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	7	-	-	-

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 1)

2009

Unit: individual

Defendants																				
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty														撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
科刑 Individuals Sentenced														免除其刑	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other
死刑	無期徒刑	有刑徒刑 timed imprisonments									拘役	罰金	免除其刑							
Death Sentence	Life Sentence	六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年	Detention	Punitive fine	Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other	
3	7	818	357	180	85	197	138	190	102	39	144	37	2	55	164	-	212	1	966	53
3	-	686	273	111	39	94	43	110	28	3	131	32	1	23	108	-	118	1	105	37
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-
-	-	2	1	-	-	-	-	-	-	-	2	-	-	-	-	-	-	-	5	-
-	-	47	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	3	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	4	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-
-	-	13	-	-	-	-	-	-	-	-	-	-	-	-	2	-	1	8	1	-
-	-	21	1	-	-	-	-	-	-	-	1	-	-	-	4	-	2	18	3	-
-	-	25	8	5	-	1	-	1	-	-	2	-	-	1	1	-	4	32	-	-
-	-	1	-	-	-	1	-	1	-	-	-	-	-	-	-	-	1	11	-	-
-	-	1	-	-	-	1	-	1	-	-	-	-	-	-	-	-	1	10	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	22	8	5	-	-	-	-	-	-	2	-	-	1	1	-	3	21	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	8	1	-	-	-	-	-	-	-	2	-	-	-	1	-	1	6	-	-
-	-	10	7	5	-	-	-	-	-	-	-	-	-	1	-	-	2	14	-	-
-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
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13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二)
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 98 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compulsory cure	強制工作 Compulsory work	強制治療 Compulsory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprisonments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprisonments more than 6 months	拘役罰金 Detention or punitive fine
合計 Total	741	-	32	4	134	95	424	52	1 230	1 039	190
普通刑法 Subtotal of general criminal law	570	-	30	3	120	95	298	24	989	636	186
瀆職罪 Offenses of malfeasance in office	-	-	-	-	-	-	-	-	2	-	-
妨害公務罪 Offenses of interference with public functions	5	-	-	-	-	-	5	-	3	1	8
妨害投票罪 Offenses of interference with voting	5	-	-	-	-	-	5	-	109	-	-
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	-	-	-	-	-	-	-	-	5	-	2
偽證罪 Offenses of perjury	5	-	-	-	-	-	5	-	25	3	-
誣告罪 Offenses of malicious accusation	3	-	-	-	-	-	3	-	37	3	1
公共危險罪 Offenses against public safety	22	-	3	2	-	-	17	-	27	42	4
放火 Arson	8	-	2	-	-	-	6	-	1	8	-
燒燬建築物及住宅 Destruction by fire of building and residence	5	-	2	-	-	-	3	-	-	4	-
燒燬其他物件 Destruction by fire of other objects	3	-	-	-	-	-	3	-	1	4	-
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 Obstruction to sanitation	-	-	-	-	-	-	-	-	-	1	-
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-	1	-
妨害交通安全 Obstruction to traffic safety	14	-	1	2	-	-	11	-	26	32	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	5	-	-	2	-	-	3	-	1	1	3
肇事致人死傷逃逸 Hit and run	8	-	-	-	-	-	8	-	25	31	-
其他 Other	1	-	1	-	-	-	-	-	-	-	1
危險物 Hazard materials	-	-	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	-	-	-	-	-	-	-	-	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 2)

2009

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收追 繳、追 繳或抵 償件 數 Number of confisca- tion and payment	追繳、追 繳或抵 償 件數 Number of payment		六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
1 229	1 018	190	1	21	-	1 500	5 887	1 375	42	7 310	5 817	1 036	4 910	20	2
988	625	186	1	11	-	386	2 685	4	-	3 122	4 881	972	3 698	18	1
2	-	-	-	-	-	-	1	-	-	-	13	-	16	-	-
3	1	8	-	-	-	-	5	-	-	18	42	19	15	-	-
109	-	-	-	-	-	167	2	-	-	7	165	-	150	-	-
-	-	-	-	-	-	-	1	-	-	1	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	1	-	2	5	-	-
5	-	2	-	-	-	-	2	-	-	5	21	3	14	-	-
25	3	-	-	-	-	-	2	-	-	37	-	-	50	-	-
37	3	1	-	-	-	-	7	-	-	14	6	3	77	14	-
27	42	4	-	-	-	1	25	-	-	201	180	22	59	-	-
1	8	-	-	-	-	-	21	-	-	17	5	-	5	-	-
-	4	-	-	-	-	-	15	-	-	13	4	-	2	-	-
1	4	-	-	-	-	-	6	-	-	4	1	-	3	-	-
-	-	-	-	-	-	-	-	-	-	-	11	3	9	-	-
-	-	-	-	-	-	-	-	-	-	-	11	1	8	-	-
-	-	-	-	-	-	-	-	-	-	-	-	2	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	-	1	1	-	-	1	-	-	3	-	-
-	1	-	-	-	-	-	-	-	-	1	-	-	-	-	-
26	32	4	-	-	-	-	3	-	-	182	164	12	35	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	1	3	-	-	-	-	2	-	-	74	53	10	2	-	-
25	31	-	-	-	-	-	1	-	-	102	94	-	27	-	-
-	-	1	-	-	-	-	-	-	-	6	17	2	6	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	7	7	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續三)

中華民國 98 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計		上訴駁回 Appeals dismissed												免除 其刑 Penalty releas- ed	無罪 Acquit- ed	
		Total	科刑 Individuals Sentenced															
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments		拘役 Deten- tion						罰金 Puniti- ve fine					
六月 以下 6 months	逾六 月至 一年 以下 Over 6 months to 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 年至 十五年 以下 Over 10 years to 15 years	逾十 五年 Over 15 years	逾十 五年 Over 15 years	逾十 五年 Over 15 years	逾十 五年 Over 15 years	逾十 五年 Over 15 years	逾十 五年 Over 15 years					
偽造貨幣罪 Offenses of counterfeiting currency	15	22	-	-	-	-	2	-	5	-	-	-	-	-	-	-	-	3
偽造有價證券罪 Offenses of counterfeiting valuable securities	292	360	-	-	1	16	30	1	42	1	-	-	-	-	-	-	-	64
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	1 271	2 323	-	-	327	115	77	10	2	-	-	-	-	-	10	-	-	732
偽造變造私文書 Forgery or alteration of private documents	841	1 164	-	-	235	77	20	5	2	-	-	-	-	-	-	-	-	225
偽造變造公文書 Forgery or alteration of public documents	179	267	-	-	5	26	55	5	-	-	-	-	-	-	-	-	-	6
偽造變造特種文書 Forgery or alteration of special documents	9	12	-	-	3	2	-	-	-	-	-	-	-	-	1	-	-	4
公文書不實登載 False entry in public documents	61	161	-	-	-	5	-	-	-	-	-	-	-	-	-	-	-	27
使公務員登載不實 Causing a functionary to make false entries in public documents	114	232	-	-	52	3	2	-	-	-	-	-	-	-	6	-	-	80
業務上文書登載不實 False entry in occupational documents	48	467	-	-	27	1	-	-	-	-	-	-	-	-	3	-	-	387
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	10	10	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	2
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	9	10	-	-	3	1	-	-	-	-	-	-	-	-	-	-	-	1
妨害性自主罪 Offenses against sexual autonomy	1 059	1 120	-	-	46	52	39	12	165	12	55	8	-	-	-	-	-	127
強制性交猥褻 Forced sexual intercourse or obscene act	1 031	1 092	-	-	46	48	39	12	165	12	55	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	8	8	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
其他 Other	20	20	-	-	-	4	-	-	-	-	-	-	-	-	-	-	-	3
妨害風化罪 Offenses against sexual morality	221	408	-	-	92	46	11	3	1	-	-	-	-	-	6	3	-	45
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	171	351	-	-	83	45	11	3	1	-	-	-	-	-	1	-	-	26
製造散布持有陳列猥褻文字圖畫物品 Production, distribution, possession or display of pornographic text or article	44	48	-	-	9	-	-	-	-	-	-	-	-	-	2	-	-	19
其他 Other	6	9	-	-	-	1	-	-	-	-	-	-	-	-	3	3	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	78	99	-	-	42	1	4	-	1	-	-	-	-	-	-	-	-	13

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 3)

2009

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 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 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	-	-	-	-	-	-	-	-	-	7	-	-	-	-	-	-	-	
-	-	-	-	-	2	2	16	1	23	3	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
7	34	2	-	-	124	30	44	9	4	-	-	-	-	3	-	-	4	
6	13	2	-	-	110	16	9	6	1	-	-	-	-	-	-	-	4	
-	15	-	-	-	2	11	32	3	3	-	-	-	-	-	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
-	5	-	-	-	-	3	3	-	-	-	-	-	-	-	-	-	-	
1	1	-	-	-	8	-	-	-	-	-	-	-	-	2	-	-	-	
-	-	-	-	-	2	-	-	-	-	-	-	-	-	1	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
-	1	-	2	2	16	11	8	1	54	8	42	-	-	-	-	-	1	
-	1	-	-	-	16	11	8	1	54	8	42	-	-	-	-	-	1	
-	-	-	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2	-	4	-	-	36	10	7	1	-	-	1	-	-	2	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	4	-	-	32	9	7	1	-	-	1	-	-	-	-	-	1	
2	-	-	-	-	3	1	-	-	-	-	-	-	-	2	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
-	4	-	-	-	5	-	-	-	-	-	1	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續四)

中華民國 98 年

單位：人

罪名別 Crime Type	被告人數												
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty												
	無期徒刑 Life Sentence	科刑 Individuals Sentenced									免除其刑 Penalty released	無罪 Acquitted	
		有刑徒刑 timed imprisonments											
	六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years	拘役 Detention	罰金 Punitive fine		
偽造貨幣罪 Offenses of counterfeiting currency	-	-	1	2	1	1	-	-	-	-	-	-	-
偽造有價證券罪 Offenses of counterfeiting valuable securities	-	3	8	17	5	31	8	1	-	-	-	-	24
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	-	173	129	48	12	9	-	-	-	3	-	-	78
偽造變造私文書 Forgery or alteration of private documents	-	117	37	19	6	7	-	-	-	-	-	-	37
偽造變造公文書 Forgery or alteration of public documents	-	5	22	12	4	-	-	-	-	-	-	-	4
偽造變造特種文書 Forgery or alteration of special documents	-	1	-	-	-	-	-	-	-	-	-	-	-
公文書不實登載 False entry in public documents	-	16	58	17	2	2	-	-	-	-	-	-	9
使公務員登載不實 Causing a functionary to make false entries in public documents	-	18	11	-	-	-	-	-	-	-	-	-	17
業務上文書登載不實 False entry in occupational documents	-	15	1	-	-	-	-	-	-	3	-	-	10
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	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害性自主罪 Offenses against sexual autonomy	1	30	19	52	12	61	5	43	4	1	-	-	71
強制性交猥褻 Forced sexual intercourse or obscene act	-	27	17	51	11	61	5	43	3	-	-	-	69
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	1	-	-	-	-	-	-	-	1	1	-	-	-
其他 Other	-	3	2	1	1	-	-	-	-	-	-	-	2
妨害風化罪 Offenses against sexual morality	-	41	34	8	1	-	-	-	2	-	-	-	8
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	-	40	34	8	1	-	-	-	2	-	-	-	7
製造散布持有陳列猥褻文字圖畫物品 Production, distribution, possession or display of pornographic text or article	-	1	-	-	-	-	-	-	-	-	-	-	1
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	-	5	-	2	-	-	1	-	-	-	-	-	3

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 4)

2009

Unit: individual

Defendants																					
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty															撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
科刑 Individuals Sentenced															免除其刑	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other
死刑	無期徒刑	有刑徒刑 timed imprisonments									拘役	罰金	免除其刑								
Death Sentence	Life Sentence	六月以下	逾六月至一年以下	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	逾十年至十五年以下	逾十五年	Detention	Punitive fine	Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	-	7	4	2	8	2	-	-	-	-	-	-	2	-	-	-	34	2		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	91	29	16	18	8	-	-	-	-	-	-	-	6	15	-	15	134	5		
-	-	62	16	9	13	6	-	-	-	-	-	-	-	5	11	-	12	72	4		
-	-	1	4	5	5	2	-	-	-	-	-	-	-	1	-	-	1	38	-		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	1	5	2	-	-	-	-	-	-	-	-	-	-	1	-	-	4	1		
-	-	14	2	-	-	-	-	-	-	-	-	-	-	-	1	-	1	13	-		
-	-	11	1	-	-	-	-	-	-	-	-	-	-	-	2	-	1	2	-		
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-		
-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-		
-	-	10	13	10	2	38	6	22	4	-	-	-	-	-	5	-	-	46	3		
-	-	9	11	10	2	38	6	22	4	-	-	-	-	-	5	-	-	45	3		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-		
-	-	7	5	1	-	-	-	-	-	-	4	1	-	-	-	-	5	19	1		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	5	5	1	-	-	-	-	-	-	-	-	-	-	-	-	3	19	1		
-	-	1	-	-	-	-	-	-	-	-	4	1	-	-	-	-	2	-	-		
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	5	-	-	-	-	-	-	-	-	-	-	-	-	2	-	3	6	1		

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續五)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 98 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison-ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison-ments more than 6 months	拘役罰金 Detention or punitive fine
偽造貨幣罪 Offenses of counterfeiting currency	1	-	-	-	-	-	1	-	-	2	-
偽造有價證券罪 Offenses of counterfeiting valuable securities	4	-	-	-	-	-	4	-	-	26	-
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	29	-	-	-	2	-	22	5	146	92	3
偽造變造私文書 Forgery or alteration of private documents	12	-	-	-	2	-	8	2	92	23	-
偽造變造公文書 Forgery or alteration of public documents	11	-	-	-	-	-	10	1	1	25	-
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	1	-	-	-	-	-	1	-	11	39	-
使公務員登載不實 Causing a functionary to make false entries in public documents	3	-	-	-	-	-	2	1	20	5	3
業務上文書登載不實 False entry in occupational documents	-	-	-	-	-	-	-	-	21	-	-
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	2	-	-	-	-	-	1	1	1	-	-
妨害性自主罪 Offenses against sexual autonomy	192	-	1	-	-	94	92	5	35	76	-
強制性交猥褻 Forced sexual intercourse or obscene act	188	-	1	-	-	92	90	5	35	74	-
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	-	-	-	-	-	-	-	-	-	-	-
其他 Other	4	-	-	-	-	2	2	-	-	2	-
妨害風化罪 Offenses against sexual morality	2	-	-	-	-	-	2	-	23	20	3
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	1	-	-	-	-	-	1	-	20	20	-
製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text or article	-	-	-	-	-	-	-	-	2	-	-
其他 Other	1	-	-	-	-	-	1	-	1	-	3
妨害婚姻及家庭罪 Offenses against marriage and family	2	-	-	-	-	-	2	-	11	3	-

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 5)

2009

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收追 繳、追 繳或抵 償件 數 Number of confisca- tion and payment	追繳、追 繳或抵 償 件數 Number of payment		六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
-	2	-	-	-	-	-	10	-	-	7	-	-	1	-	-
-	26	-	-	-	-	-	193	-	-	46	4	-	27	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
146	92	3	-	-	-	5	569	-	-	148	645	18	823	2	-
92	23	-	-	-	-	-	420	-	-	102	485	-	485	2	-
1	25	-	-	-	-	-	130	-	-	30	2	-	48	-	-
-	-	-	-	-	-	-	5	-	-	2	5	3	6	-	-
11	39	-	-	-	-	1	3	-	-	3	-	-	106	-	-
20	5	3	-	-	-	4	1	-	-	5	90	8	113	-	-
21	-	-	-	-	-	-	-	-	-	5	55	7	61	-	-
-	-	-	-	-	-	-	4	-	-	-	5	-	3	-	-
1	-	-	-	-	-	-	6	-	-	1	3	-	1	-	-
34	70	-	1	6	-	7	52	-	-	126	41	-	108	-	-
34	68	-	1	6	-	1	50	-	-	124	37	-	101	-	-
-	-	-	-	-	-	-	6	1	-	1	-	-	-	-	-
-	2	-	-	-	-	-	1	-	-	1	4	-	7	-	-
23	20	3	-	-	-	-	111	-	-	82	167	12	87	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
20	20	-	-	-	-	-	93	-	-	73	151	1	87	-	-
2	-	-	-	-	-	-	18	-	-	6	14	8	-	-	-
1	-	3	-	-	-	-	-	-	-	3	2	3	-	-	-
11	3	-	-	-	-	-	1	-	-	6	57	-	20	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續六)

中華民國 98 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																	
		合計 Total	上訴駁回 Appeals dismissed																
			科刑 Individuals Sentenced										免除 其刑 Penalty releas- ed	無罪 Acquit- ed					
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 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 年至 十五 年 以下 Over 10 years to 15 years			逾十 五年 Over 15 years	拘役 Deten- tion	罰金 Punitive fine		
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	2	5	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	1	
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
賭博罪 Offenses of gambling	95	861	-	-	58	11	-	-	-	-	-	-	-	-	-	-	33	-	666
單純賭博 Simple gambling	34	702	-	-	-	-	-	-	-	-	-	-	-	-	-	-	33	-	631
供給賭博場所等賭博 Gamble of providing gambling places and the like	61	159	-	-	58	11	-	-	-	-	-	-	-	-	-	-	-	-	35
殺人罪 Offenses of homicide	823	1020	3	19	88	116	18	7	4	50	25	58	8	-	-	-	-	-	124
殺人 Homicide	372	521	3	19	1	-	-	6	3	50	25	58	8	-	-	-	-	-	42
既遂 Consummation	204	299	3	19	-	-	-	1	-	6	9	55	6	-	-	-	-	-	24
普通殺人 General homicide	200	294	3	16	-	-	-	1	-	6	9	55	5	-	-	-	-	-	23
殺害直系尊親屬 Homicide of lineal ascendants by blood	4	5	-	3	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1
未遂 Attempt	168	222	-	-	1	-	-	5	3	44	16	3	2	-	-	-	-	-	18
普通殺人 General homicide	166	220	-	-	1	-	-	5	3	44	16	3	1	-	-	-	-	-	18
殺害直系尊親屬 Homicide of lineal ascendants by blood	2	2	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
過失致死 Manslaughter	451	499	-	-	87	116	18	1	1	-	-	-	-	-	-	-	-	-	82
一般過失致人於死 General negligent killing	16	19	-	-	2	3	-	-	-	-	-	-	-	-	-	-	-	-	2
醫師業務過失致人於死 Occupational negligent killing by a physician	17	23	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	12
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	148	151	-	-	18	33	11	1	-	-	-	-	-	-	-	-	-	-	15
交通一般過失致人於死 General negligent killing by a driver	221	229	-	-	55	75	7	-	-	-	-	-	-	-	-	-	-	-	24
其他業務過失致人於死 Other occupational negligent killing	49	77	-	-	10	5	-	-	1	-	-	-	-	-	-	-	-	-	29

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 6)

2009

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced													免除 其刑 Penalty released	無罪 Acquitted	
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments										拘役 Deten- tion			罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 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 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	15	3	1	-	-	-	-	-	-	-	6	-	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6	-	-
-	-	-	-	-	-	15	3	1	-	-	-	-	-	-	-	-	-	1
2	9	-	13	30	14	7	1	3	8	12	15	23	5	-	-	-	-	1
1	7	-	13	30	1	1	-	3	8	12	15	23	5	-	-	-	-	-
-	-	-	13	29	-	1	-	2	-	-	5	21	5	-	-	-	-	-
-	-	-	13	29	-	1	-	2	-	-	5	21	5	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	7	-	-	1	1	-	-	1	8	12	10	2	-	-	-	-	-	-
1	7	-	-	1	1	-	-	1	8	12	10	2	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	2	-	-	-	13	6	1	-	-	-	-	-	-	-	-	-	-	1
1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	7	3	1	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	5	3	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續七)

中華民國 98 年

單位：人

罪名別 Crime Type	被告人數														
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty														
	無期徒刑 Life Sentence	科刑 Individuals Sentenced									拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted	
		有期徒刑 timed imprisonments													
六個月以下 6 or less than 6 months	逾六個月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years							
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	-	6	5	-	-	-	-	-	-	-	-	12	-	-	1
單純賭博 Simple gambling	-	-	-	-	-	-	-	-	-	-	-	12	-	-	-
供給賭博場所等賭博 Gamble of providing gambling places and the like	-	6	5	-	-	-	-	-	-	-	-	-	-	-	1
殺人罪 Offenses of homicide	7	52	22	11	10	8	23	12	39	9	2	-	-	-	27
殺人 Homicide	7	-	1	4	10	8	23	12	39	9	-	-	-	-	11
既遂 Consummation	6	-	-	-	-	3	2	8	37	8	-	-	-	-	6
普通殺人 General homicide	6	-	-	-	-	3	2	8	37	8	-	-	-	-	6
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
未遂 Attempt	1	-	1	4	10	5	21	4	2	1	-	-	-	-	5
普通殺人 General homicide	1	-	1	4	10	5	21	4	1	1	-	-	-	-	5
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
過失致死 Manslaughter	-	52	21	7	-	-	-	-	-	-	2	-	-	-	16
一般過失致人於死 General negligent killing	-	2	4	2	-	-	-	-	-	-	-	-	-	-	-
醫師業務過失致人於死 Occupational negligent killing by a physician	-	1	-	-	-	-	-	-	-	-	-	-	-	-	2
密醫過失致人於死 Negligent killing by an uncensured physician	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
交通業務過失致人於死 Occupational negligent killing by a driver	-	26	7	-	-	-	-	-	-	-	1	-	-	-	9
交通一般過失致人於死 General negligent killing by a driver	-	10	9	1	-	-	-	-	-	-	1	-	-	-	2
其他業務過失致人於死 Other occupational negligent killing	-	13	1	4	-	-	-	-	-	-	-	-	-	-	3

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 7)

2009

Unit: individual

Defendants																撤銷改判 免訴	撤銷改判 不受理	撤銷改判 管轄錯誤	撤銷改判 發回原審法院	撤回	其他	
科刑 Individuals Sentenced											撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty											
死刑 Death Sentence	無期 徒刑 Life Sentence	有刑徒刑 timed imprisonments									拘役 Detention	罰金 Punitive fine	免除 其刑 Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other			
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years												
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	15	3	1	-	-	-	-	-	-	-	11	-	1	2	-	5	5	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	11	-	1	2	-	2	4	-	-	-	
-	-	15	3	1	-	-	-	-	-	-	-	-	-	-	-	-	3	1	-	-	-	
-	-	21	21	11	-	3	13	6	18	2	1	-	-	-	8	-	1	28	2	-	-	
-	-	-	-	-	-	3	13	6	18	2	-	-	-	-	4	-	-	16	1	-	-	
-	-	-	-	-	-	2	-	1	17	2	-	-	-	-	1	-	-	7	-	-	-	
-	-	-	-	-	-	2	-	1	17	2	-	-	-	-	1	-	-	7	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	1	13	5	1	-	-	-	-	-	3	-	-	9	1	-	-	
-	-	-	-	-	-	1	13	5	1	-	-	-	-	-	3	-	-	9	1	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	21	21	11	-	-	-	-	-	-	1	-	-	-	4	-	1	12	1	-	-	
-	-	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	4	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	7	6	4	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	
-	-	10	11	5	-	-	-	-	-	-	1	-	-	-	-	-	1	8	-	-	-	
-	-	2	3	1	-	-	-	-	-	-	-	-	-	-	-	-	-	2	1	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續八)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 98 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul- sory cure	強制工作 Compul- sory work	強制治療 Compul- sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	-	-	-	-	-	-	-	-	1	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	2	-	-	-	-	-	2	-	32	5	3
單純賭博 Simple gambling	-	-	-	-	-	-	-	-	-	-	3
供給賭博場所等賭博 Gamble of providing gambling places and the like	2	-	-	-	-	-	2	-	32	5	-
殺人罪 Offenses of homicide	21	-	10	1	-	-	8	2	59	76	1
殺人 Homicide	13	-	10	1	-	-	-	2	1	-	-
既遂 Consummation	8	-	5	1	-	-	-	2	-	-	-
普通殺人 General homicide	8	-	5	1	-	-	-	2	-	-	-
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-
未遂 Attempt	5	-	5	-	-	-	-	-	1	-	-
普通殺人 General homicide	5	-	5	-	-	-	-	-	1	-	-
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-
過失致死 Manslaughter	8	-	-	-	-	-	8	-	58	76	1
一般過失致人於死 General negligent killing	-	-	-	-	-	-	-	-	1	1	-
醫師業務過失致人於死 Occupational negligent killing by a physician	-	-	-	-	-	-	-	-	2	-	-
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	3	-	-	-	-	-	3	-	19	20	1
交通一般過失致人於死 General negligent killing by a driver	3	-	-	-	-	-	3	-	26	46	-
其他業務過失致人於死 Other occupational negligent killing	2	-	-	-	-	-	2	-	10	9	-

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 8)

2009

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收追 繳、追 繳或 抵償 件數 Number of confisca- tion and payment	追繳、追 繳或 抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
1	-	-	-	-	-	-	-	-	-	1	1	-	3	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
32	5	3	-	-	-	-	54	-	-	17	91	-	47	-	-
-	-	3	-	-	-	-	16	-	-	-	-	-	16	-	-
32	5	-	-	-	-	-	38	-	-	17	91	-	31	-	-
59	76	1	-	-	-	142	172	-	-	95	174	3	95	-	-
1	-	-	-	-	-	142	171	-	-	83	1	-	5	-	-
-	-	-	-	-	-	137	87	-	-	46	-	-	2	-	-
-	-	-	-	-	-	133	85	-	-	46	-	-	2	-	-
-	-	-	-	-	-	4	2	-	-	-	-	-	-	-	-
1	-	-	-	-	-	5	84	-	-	37	1	-	3	-	-
1	-	-	-	-	-	5	84	-	-	37	1	-	3	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
58	76	1	-	-	-	-	1	-	-	12	173	3	90	-	-
1	1	-	-	-	-	-	1	-	-	-	5	-	8	-	-
2	-	-	-	-	-	-	-	-	-	-	4	-	4	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
19	20	1	-	-	-	-	-	-	-	3	58	1	31	-	-
26	46	-	-	-	-	-	-	-	-	9	80	2	24	-	-
10	9	-	-	-	-	-	-	-	-	-	26	-	23	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續九)

中華民國 98 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數															
		合計		上訴駁回 Appeals dismissed												免除 其刑 Penalty releas- ed	無罪 Acquitt- ed
		Total	科刑 Individuals Sentenced														
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments										拘役 Deten- tion	罰金 Punitiv e fine	
六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1	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 年至 十五 年以 下 Over 10 years to 15 years	逾十 五年 Over 15 years									
傷 害 罪 Offenses of causing bodily harm	1382	1819	-	-	434	52	12	2	19	8	26	5	-	314	8	2	208
傷 害 直 系 尊 親 屬 Bodily harm of lineal ascendants by blood	6	6	-	-	1	2	-	-	-	-	-	-	-	-	-	-	-
重 傷 罪 Serious bodily harm	30	50	-	-	-	-	4	1	1	2	-	-	-	-	-	-	4
傷 害 致 死 Bodily harm resulting in death	100	171	-	-	-	-	-	-	3	4	26	5	-	-	-	-	7
醫 師 業 務 過 失 傷 害 Occupational negligent bodily harm by a physician	17	25	-	-	4	-	-	-	-	-	-	-	-	-	-	-	12
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	141	144	-	-	74	10	-	-	-	-	-	-	-	16	-	-	12
交 通 一 般 過 失 傷 害 General negligent bodily harm by a driver	393	404	-	-	145	6	-	-	-	-	-	-	-	94	-	-	41
其 他 業 務 過 失 傷 害 Other occupational negligent bodily harm	30	36	-	-	15	2	-	-	-	-	-	-	-	5	-	-	6
其 他 Other	665	983	-	-	195	32	8	1	15	2	-	-	-	199	8	2	126
墮 胎 罪 Offenses of abortion	2	2	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
遺 棄 罪 Offenses of abandonment	13	19	-	-	2	-	1	-	-	-	-	-	-	-	-	-	10
妨 害 自 由 罪 Offenses against personal liberty	664	1309	-	-	250	89	15	-	1	1	-	-	-	103	4	-	226
使 人 為 奴 隸 及 買 賣 質 押 人 口 Enslavement of, trade in, and pawning of, persons	3	10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
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	242	600	-	-	98	67	11	-	1	1	-	-	-	11	-	-	80
強 制 罪 Coercion offense	159	289	-	-	76	15	3	-	-	-	-	-	-	30	1	-	61
恐 嚇 危 害 安 全 Obstruction of safety by threat	232	354	-	-	67	7	1	-	-	-	-	-	-	52	2	-	78
侵 入 或 滯 留 Trespassing on, or lingering in, a property	28	56	-	-	9	-	-	-	-	-	-	-	-	10	1	-	5
違 法 搜 索 Illegal search	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 9)

2009

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced											免除 其刑 Penalty released	無罪 Acquitted			
			死刑 Death Sent- ence	無期徒刑 Life Sent- ence	有刑徒刑 timed imprisonments											拘役 Deten- tion	罰金 Punitive fine	
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 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 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
1	37	-	-	-	54	1	2	1	9	4	19	3	-	25	1	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	1	-	-	-	-	-	1	1	1	-	2	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	6	4	17	3	-	-	-	-	-	
-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	1	-	-	-	2	-	-	-	-	-	-	-	-	3	-	-	-	
-	5	-	-	-	10	-	-	-	-	-	-	-	-	5	-	-	-	
-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1	25	-	-	-	42	1	1	-	2	-	-	-	-	17	1	-	1	
-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
7	14	-	-	-	91	19	5	1	-	-	4	-	-	7	-	-	3	
-	-	-	-	-	-	-	-	-	-	-	4	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	12	-	-	-	45	16	4	1	-	-	-	-	-	-	-	-	2	
1	-	-	-	-	12	1	-	-	-	-	-	-	-	1	-	-	-	
-	-	-	-	-	33	2	1	-	-	-	-	-	-	5	-	-	1	
6	2	-	-	-	1	-	-	-	-	-	-	-	-	1	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十)

中華民國 98 年

單位：人

罪名別 Crime Type	被告人數													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													無罪 Acquitted
	無期徒刑 Life Sentence	科刑 Individuals Sentenced									拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	
		有期徒刑 timed imprisonments												
六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years						
傷害 Offenses of causing bodily harm	-	87	33	42	14	25	14	29	6	-	31	4	1	45
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	-	-	-	-	1	1	-	-	-	-	-	-	-	-
重傷 Serious bodily harm	-	-	9	5	4	-	1	2	-	-	-	-	-	3
傷害致死 Bodily harm resulting in death	-	-	-	2	3	8	13	24	6	-	-	-	-	4
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	-	9	1	-	-	-	-	-	-	-	3	-	-	2
交通一般過失傷害 General negligent bodily harm by a driver	-	18	1	-	-	-	-	-	-	-	14	1	-	9
其他業務過失傷害 Other occupational negligent bodily harm	-	2	-	-	-	-	-	-	-	-	-	-	-	3
其他 Other	-	58	22	35	6	16	-	3	-	-	14	3	1	23
墮胎 Offenses of abortion	-	-	-	-	-	-	-	-	-	-	-	-	-	-
遺棄 Offenses of abandonment	-	1	1	1	-	-	1	-	-	-	-	-	-	1
妨害自由 Offenses against personal liberty	-	122	51	18	5	2	1	1	-	-	11	2	-	35
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of persons	-	-	1	-	-	1	1	1	-	-	-	-	-	-
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	-	75	41	14	2	1	-	-	-	-	2	-	-	8
強制 Coercion offense	-	26	1	3	3	-	-	-	-	-	1	-	-	7
恐嚇危害安全 Obstruction of safety by threat	-	20	8	1	-	-	-	-	-	-	7	2	-	15
侵入或滯留 Trespassing on, or lingering in, a property	-	1	-	-	-	-	-	-	-	-	1	-	-	5
違法搜索 Illegal search	-	-	-	-	-	-	-	-	-	-	-	-	-	-

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 10)

2009

Unit: individual

Defendants																			
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty													撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
科刑 Individuals Sentenced													免除其刑	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other
死刑	無期徒刑	有刑徒刑 timed imprisonments										拘役	罰金						
Death Sentence	Life Sentence	六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年	Over 15 years	Detention	Punitive fine	Penalty released					
-	-	50	12	8	2	6	3	15	3	-	36	5	-	-	13	-	16	70	1
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	5	-	-	1	-	-	-	-	-	-	-	-	-	-	2	-
-	-	-	-	-	-	4	2	14	3	-	-	-	-	-	6	-	-	7	-
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	2	1	-	-	-	-	-	-	-	2	-	-	-	-	-	2	4	-
-	-	20	2	-	-	-	-	-	-	-	6	-	-	-	2	-	8	17	-
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	26	9	3	2	2	-	-	-	-	28	5	-	-	5	-	6	36	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	86	13	9	1	2	-	-	-	-	27	1	1	1	7	-	13	50	10
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	45	10	7	1	2	-	-	-	-	5	-	-	1	4	-	-	26	7
-	-	29	1	1	-	-	-	-	-	-	3	1	1	-	1	-	-	8	2
-	-	12	2	1	-	-	-	-	-	-	18	-	-	-	1	-	1	16	1
-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1	-	12	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十一)
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 98 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison-ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison-ments more than 6 months	拘役罰金 Detention or punitive fine
傷 害 Offenses of causing bodily harm	30	-	3	-	-	-	23	4	139	34	90
傷 害 直 系 尊 親 屬 Bodily harm of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-
重 傷 Serious bodily harm	6	-	2	-	-	-	4	-	-	7	-
傷 害 致 死 Bodily harm resulting in death	3	-	-	-	-	-	1	2	-	3	-
醫 師 業 務 過 失 傷 害 Occupational negligent bodily harm by a physician	-	-	-	-	-	-	-	-	-	-	-
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	-	25	4	6
交 通 一 般 過 失 傷 害 General negligent bodily harm by a driver	1	-	-	-	-	-	1	-	62	3	39
其 他 業 務 過 失 傷 害 Other occupational negligent bodily harm	-	-	-	-	-	-	-	-	6	-	1
其 他 Other	19	-	1	-	-	-	16	2	46	17	44
墮 胎 Offenses of abortion	-	-	-	-	-	-	-	-	-	-	-
遺 棄 Offenses of abandonment	-	-	-	-	-	-	-	-	-	-	-
妨 害 自 由 Offenses against personal liberty	10	-	1	-	-	-	9	-	44	13	21
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	6	-	-	-	-	-	6	-	32	9	4
強 制 Coercion offense	2	-	-	-	-	-	2	-	5	1	9
恐 嚇 危 害 安 全 Obstruction of safety by threat	2	-	1	-	-	-	1	-	7	3	7
侵 入 或 滯 留 Trespassing on, or lingering in, a property	-	-	-	-	-	-	-	-	-	-	1
違 法 搜 索 Illegal search	-	-	-	-	-	-	-	-	-	-	-

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 11)

2009

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收追 繳、追 繳或抵 償件 數 Number of confisca- tion and payment	追繳、追 繳或抵 償 件數 Number of payment		六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
139	32	90	-	2	-	6	103	1	-	110	616	416	217	-	-
-	-	-	-	-	-	-	1	-	-	3	1	-	-	-	-
-	6	-	-	1	-	-	11	-	-	5	-	-	21	-	-
-	2	-	-	1	-	6	36	1	-	25	-	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	5	-	5	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
25	4	6	-	-	-	-	-	-	-	-	87	25	20	-	-
62	3	39	-	-	-	-	-	-	-	-	192	122	25	-	-
6	-	1	-	-	-	-	-	-	-	-	18	5	10	-	-
46	17	44	-	-	-	-	55	-	-	77	313	264	135	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	2	2	-	3	-	-
44	12	21	-	1	-	-	96	1	-	216	512	152	407	-	-
-	-	-	-	-	-	-	2	-	-	3	-	-	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
32	8	4	-	1	-	-	46	1	-	117	239	17	220	-	-
5	1	9	-	-	-	-	19	-	-	33	143	36	85	-	-
7	3	7	-	-	-	-	28	-	-	55	121	82	93	-	-
-	-	1	-	-	-	-	1	-	-	8	9	17	7	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十二)

中華民國 98 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計 Total	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced											免除 其刑 Penalty releas- ed	無罪 Acquitt- ed			
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 timed imprisonments											拘役 Deten- tion	罰金 Punitiv e fine	
六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 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 年至 十五 年 以下 Over 10 years to 15 years	逾十 五年 Over 15 years								
妨害名譽及信用罪 Offenses against personal reputation & credits	204	268	-	-	8	1	-	-	-	-	-	-	-	-	64	21	-	106
妨害秘密罪 Offenses relating to protection of secrets	14	23	-	-	-	-	-	-	-	-	-	-	-	-	4	-	-	3
竊盜罪 Offenses of larceny	1995	2386	-	-	400	755	67	9	4	-	-	-	-	-	43	2	1	304
普通竊盜竊占 Common theft and theft of movables or immovables	833	960	-	-	271	129	18	1	-	-	-	-	-	-	43	2	-	183
加重竊盜 Severe theft	1152	1407	-	-	129	626	49	5	3	-	-	-	-	-	-	-	1	121
常業竊盜 Occupational theft	10	19	-	-	-	-	-	3	1	-	-	-	-	-	-	-	-	-
強盜罪 Offenses of robbery	579	956	-	4	1	-	5	3	45	33	219	13	2	-	-	-	-	44
搶奪及海盜罪 Offenses of snatch of property and piracy	181	211	-	-	6	79	23	-	2	-	-	-	-	-	-	-	-	15
侵占罪 Offenses of misappropriation	493	582	-	-	103	109	18	-	3	-	-	-	-	3	4	-	-	131
普通侵占 Common embezzlement	126	147	-	-	41	13	4	-	-	-	-	-	-	3	-	-	-	36
公務公益侵占 Official embezzlement	5	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4
業務侵占 Occupational embezzlement	351	416	-	-	62	96	14	-	3	-	-	-	-	-	-	-	-	89
侵占遺失物 Embezzlement of lost articles	11	11	-	-	-	-	-	-	-	-	-	-	-	-	4	-	-	2
詐欺罪 Offenses of fraud	1895	2946	-	-	662	221	91	25	15	-	-	-	-	31	1	-	-	708
一般詐欺 Common fraud	1783	2583	-	-	654	194	74	17	6	-	-	-	-	31	1	-	-	661
常業詐欺 Occupational fraud	112	363	-	-	8	27	17	8	9	-	-	-	-	-	-	-	-	47
背信罪 Offenses of breach of trust	128	272	-	-	21	8	-	2	-	-	-	-	-	2	1	-	-	118
重利罪 Offenses of usury	142	271	-	-	65	4	1	-	-	-	-	-	-	14	-	-	-	34
恐嚇取財罪 Offenses of obtaining property by threats	281	496	-	-	90	98	20	5	-	-	-	-	-	-	-	-	-	64
擄人勒贖罪 Offenses of kidnapping for ransom	30	69	-	-	-	-	-	-	1	1	15	4	1	-	-	-	-	3
贓物罪 Offenses relating to illegally obtained property	204	290	-	-	80	22	3	-	-	-	-	-	-	17	-	-	-	74
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	124	171	-	-	32	6	-	1	-	-	-	-	-	12	5	-	-	44
妨害電腦使用罪 Offenses of impairment to use of computers	12	18	-	-	1	2	-	-	-	-	-	-	-	1	-	-	-	4

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 12)

2009

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 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 至十五 年 以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	6	-	-	-	2	-	-	-	-	-	-	-	-	-	4	1	-	-
-	3	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
6	4	-	-	-	62	99	15	3	-	-	-	-	-	-	3	-	-	2
6	2	-	-	-	44	15	3	-	-	-	-	-	-	-	3	-	-	2
-	2	-	-	-	18	84	12	1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-
1	-	-	7	11	1	-	-	-	13	23	143	10	2	-	-	-	-	1
-	2	-	-	-	3	8	3	3	-	-	-	-	-	-	-	-	-	-
-	6	4	-	-	33	14	3	3	-	-	-	-	-	-	-	-	-	2
-	3	3	-	-	4	2	1	1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	1	-	-	-	-	-	-	-	-	-	-
-	3	1	-	-	29	11	2	1	-	-	-	-	-	-	-	-	-	2
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
14	28	4	-	-	174	42	23	7	16	4	-	-	-	-	4	-	-	2
13	28	4	-	-	171	24	16	3	6	-	-	-	-	-	4	-	-	2
1	-	-	-	-	3	18	7	4	10	4	-	-	-	-	-	-	-	-
3	4	-	-	-	8	4	-	-	1	1	-	-	-	-	-	-	-	1
1	-	-	-	-	38	7	3	1	-	-	-	-	-	-	1	-	-	-
-	1	1	-	-	34	34	9	1	1	-	-	-	-	-	-	-	-	-
-	-	-	5	1	-	-	-	-	1	-	4	-	-	-	-	-	-	-
-	-	-	-	-	14	1	2	-	-	-	-	-	-	-	-	-	-	-
1	7	-	-	-	3	-	-	-	-	-	-	-	-	-	1	-	-	3
-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十三)

中華民國 98 年

單位：人

罪名別 Crime Type	被告人數														
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty														
	無期徒刑 Life Sentence	科刑 Individuals Sentenced									拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted	
		有期徒刑 timed imprisonments													
六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years							
妨害名譽及信用罪 Offenses against personal reputation & credits	-	6	-	-	-	-	-	-	-	-	-	9	1	-	8
妨害秘密罪 Offenses relating to protection of secrets	-	-	2	3	-	-	-	-	-	-	-	-	-	-	-
竊盜罪 Offenses of larceny	-	89	52	7	4	2	-	-	-	-	10	2	1	53	
普通竊盜竊占 Common theft and theft of movables or immovables	-	42	7	1	-	-	-	-	-	-	10	2	-	34	
加重竊盜 Severe theft	-	47	44	6	2	1	-	-	-	-	-	-	1	19	
常業竊盜 Occupational theft	-	-	1	-	2	1	-	-	-	-	-	-	-	-	
強盜罪 Offenses of robbery	7	2	2	2	4	39	24	64	10	5	-	-	-	20	
搶奪及海盜罪 Offenses of snatch of property and piracy	-	1	4	3	4	-	-	-	-	-	-	-	-	3	
侵占罪 Offenses of misappropriation	-	34	14	3	7	-	-	-	-	-	-	2	-	12	
普通侵占 Common embezzlement	-	7	7	1	-	-	-	-	-	-	-	1	-	7	
公務公益侵占 Official embezzlement	-	-	1	1	-	-	-	-	-	-	-	-	-	-	
業務侵占 Occupational embezzlement	-	27	6	1	7	-	-	-	-	-	-	-	-	5	
侵占遺失物 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-	-	-	1	-	-	
詐欺罪 Offenses of fraud	-	134	93	53	29	11	-	-	-	-	10	-	-	81	
一般詐欺 Common fraud	-	110	40	16	10	1	-	-	-	-	10	-	-	70	
常業詐欺 Occupational fraud	-	24	53	37	19	10	-	-	-	-	-	-	-	11	
背信罪 Offenses of breach of trust	-	12	12	9	12	2	-	-	-	-	-	-	-	24	
重利罪 Offenses of usury	-	23	4	2	2	-	-	-	-	-	1	-	-	4	
恐嚇取財罪 Offenses of obtaining property by threats	-	27	19	12	4	2	-	-	-	-	-	-	-	11	
擄人勒贖罪 Offenses of kidnapping for ransom	3	-	-	1	2	6	3	4	6	1	-	-	-	-	
贓物罪 Offenses relating to illegally obtained property	-	13	8	1	-	-	-	-	-	-	2	-	-	9	
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	-	8	-	-	-	-	-	-	-	-	8	-	-	4	
妨害電腦使用罪 Offenses of impairment to use of computers	-	2	-	-	-	-	-	-	-	-	-	-	-	-	

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 13)

2009

Unit: individual

Defendants																			
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty													撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判原審法院	撤回	其他	
科刑 Individuals Sentenced													免除其刑	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other
死刑 Death Sentence	無期徒刑 Life Sentence	有刑徒刑 timed imprisonments										拘役 Detention	罰金 Punitive fine						
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years									
-	-	3	-	-	-	-	-	-	-	-	9	3	-	-	7	-	4	5	-
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	4	-	-	1	-
-	-	55	59	11	2	-	-	-	-	-	14	5	-	4	7	-	4	225	1
-	-	36	16	1	1	-	-	-	-	-	14	5	-	3	2	-	4	60	-
-	-	16	41	9	1	-	-	-	-	-	-	-	-	1	5	-	-	162	1
-	-	3	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-
3	-	-	-	-	-	14	16	66	3	1	-	-	-	-	4	-	-	87	2
-	-	-	9	2	-	-	-	-	-	-	-	-	-	-	2	-	-	39	-
-	-	11	12	2	1	-	-	-	-	-	-	3	-	2	4	-	7	31	1
-	-	4	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	7	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	7	11	2	1	-	-	-	-	-	-	-	-	1	4	-	6	24	1
-	-	-	-	-	-	-	-	-	-	-	-	3	-	1	-	-	-	-	-
-	-	145	53	25	9	13	1	-	-	-	18	-	-	3	15	-	26	151	4
-	-	145	45	21	3	4	-	-	-	-	18	-	-	2	12	-	24	140	3
-	-	-	8	4	6	9	1	-	-	-	-	-	-	1	3	-	2	11	1
-	-	8	2	2	1	-	-	-	-	-	1	-	-	1	1	-	4	7	-
-	-	33	3	1	-	-	-	-	-	-	4	-	-	-	1	-	1	23	-
-	-	9	10	3	1	-	-	-	-	-	-	-	-	1	-	-	1	38	-
-	-	-	-	-	-	1	2	-	-	-	-	-	-	-	1	-	-	3	-
-	-	13	3	-	-	-	-	-	-	-	5	1	-	1	-	-	1	20	-
-	-	7	5	-	-	-	-	-	-	-	7	1	-	-	-	-	2	14	-
-	-	2	-	-	-	-	-	-	-	-	-	1	-	-	3	-	-	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十四)
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 98 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison-ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison-ments more than 6 months	拘役罰金 Detention or punitive fine
妨害名譽及信用罪 Offenses against personal reputation & credits	1	-	-	-	-	-	1	-	2	1	16
妨害秘密罪 Offenses relating to protection of secrets	-	-	-	-	-	-	-	-	-	2	2
竊盜罪 Offenses of larceny	112	-	7	-	82	-	20	3	44	38	13
普通竊盜竊占 Common theft and theft of movables or immovables	34	-	7	-	19	-	7	1	23	6	13
加重竊盜 Severe theft	73	-	-	-	58	-	13	2	21	32	-
常業竊盜 Occupational theft	5	-	-	-	5	-	-	-	-	-	-
強盜罪 Offenses of robbery	30	-	4	-	15	1	6	4	2	6	-
搶奪及海盜罪 Offenses of snatch of property and piracy	13	-	1	-	11	-	1	-	2	-	-
侵占罪 Offenses of misappropriation	3	-	-	-	-	-	2	1	35	35	1
普通侵占 Common embezzlement	-	-	-	-	-	-	-	-	11	3	1
公務公益侵占 Official embezzlement	-	-	-	-	-	-	-	-	-	2	-
業務侵占 Occupational embezzlement	3	-	-	-	-	-	2	1	24	30	-
侵占遺失物 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-	-	-
詐欺罪 Offenses of fraud	63	-	-	-	9	-	54	-	153	118	12
一般詐欺 Common fraud	53	-	-	-	5	-	48	-	145	63	12
常業詐欺 Occupational fraud	10	-	-	-	4	-	6	-	8	55	-
背信罪 Offenses of breach of trust	-	-	-	-	-	-	-	-	10	17	1
重利罪 Offenses of usury	4	-	-	-	-	-	4	-	17	1	2
恐嚇取財罪 Offenses of obtaining property by threats	8	-	-	-	1	-	7	-	12	18	-
擄人勒贖罪 Offenses of kidnapping for ransom	1	-	-	-	-	-	1	-	-	1	-
贓物罪 Offenses relating to illegally obtained property	2	-	-	-	-	-	2	-	11	1	3
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	-	-	-	-	-	-	-	-	2	2	-
妨害電腦使用罪 Offenses of impairment to use of computers	-	-	-	-	-	-	-	-	1	-	-

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 14)

2009

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收追 繳、追 繳或抵 償件 數 Number of confisca- tion and payment	追繳、追 繳或抵 償 件數 Number of payment		六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
2	1	16	-	-	-	-	5	-	-	4	17	88	26	-	-
-	2	2	-	-	-	-	6	-	-	-	3	4	2	-	-
44	38	13	-	-	-	-	506	-	-	1 059	495	80	165	-	-
23	6	13	-	-	-	-	72	-	-	384	330	80	85	-	-
21	32	-	-	-	-	-	427	-	-	670	165	-	74	-	-
-	-	-	-	-	-	-	7	-	-	5	-	-	6	-	-
2	4	-	-	2	-	44	301	1	-	246	4	-	8	-	1
2	-	-	-	-	-	-	30	-	-	103	7	-	17	-	-
35	35	1	-	-	-	-	35	-	-	50	169	3	176	-	-
11	3	1	-	-	-	-	2	-	-	11	54	3	46	-	-
-	2	-	-	-	-	-	-	-	-	-	-	-	4	-	-
24	30	-	-	-	-	-	30	-	-	39	115	-	124	-	-
-	-	-	-	-	-	-	3	-	-	-	-	-	2	-	-
153	118	12	-	-	-	-	213	-	-	319	974	66	710	-	-
145	63	12	-	-	-	-	136	-	-	282	971	66	569	-	-
8	55	-	-	-	-	-	77	-	-	37	3	-	141	-	-
10	17	1	-	-	-	-	6	1	-	2	47	3	74	2	-
17	1	2	-	-	-	-	55	-	-	27	143	20	121	-	-
12	18	-	-	-	-	-	83	-	-	86	131	-	102	-	-
-	1	-	-	-	-	14	21	-	-	11	-	-	1	-	-
11	1	3	-	-	-	-	12	-	-	58	99	26	42	-	-
2	2	-	-	-	-	-	4	-	-	15	49	31	24	-	-
1	-	-	-	-	-	-	2	-	-	2	5	1	6	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十五)

中華民國 98 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數															
		合計 Total	上訴駁回 Appeals dismissed														
			科刑 Individuals Sentenced										拘役 Detention	罰金 Punitive fine	免除 其刑 Penalty released	無罪 Acquitt- ed	
			死刑 Death Sent- ence	無期 徒 刑 Life Sent- ence	有期徒刑 timed imprisonments												
六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 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 年至 十五 年 以下 Over 10 years to 15 years	逾十 五年 Over 15 years							
特別刑事法計 Sub-total of special criminal law	8 701	12 133	-	16	672	2 534	467	82	335	150	152	47	201	33	18	-	1 307
貪污治罪條例 Punishment of corruption act	419	1 214	-	-	4	3	8	7	4	8	7	13	-	-	-	-	296
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	8	8	-	-	2	-	-	-	-	-	-	-	-	-	-	-	5
違反電信法 Violation of the telecommunications act	17	24	-	-	9	-	-	-	-	-	-	-	-	1	1	-	4
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	73	228	-	-	53	10	1	-	-	-	-	-	-	-	-	-	36
違反森林法 Violation of the forestry law	41	59	-	-	9	18	2	-	-	-	-	-	-	-	-	-	11
違反漁業法 Violation of the fishery law	1	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	5 854	6 666	-	16	281	2 342	266	33	58	75	135	30	201	2	-	-	249
製造運輸販賣 Manufacture, transport, or sale	2 120	2 895	-	16	-	1	11	28	58	74	134	30	201	-	-	-	202
施用 Use	3 498	3 506	-	-	252	2 321	218	1	-	-	-	-	-	-	-	-	26
其他 Other	236	265	-	-	29	20	37	4	-	1	1	-	-	2	-	-	21
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	1	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
違反電業法 Violation of the electricity management law	28	37	-	-	4	9	3	-	-	-	-	-	-	-	-	-	2
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	8	15	-	-	4	-	-	-	-	-	-	-	-	-	-	-	2
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	7	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8
違反勞工安全衛生法 Violation of the labor safety and health law	3	10	-	-	1	-	-	-	-	-	-	-	-	-	2	-	3

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 15)

2009

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 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 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
21	25	40	2	55	135	134	116	44	217	148	238	84	293	4	3	1	35	
-	2	14	-	-	-	12	13	3	9	33	18	37	3	-	-	1	2	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	36	7	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
11	9	2	2	54	22	54	17	16	79	61	193	43	290	-	-	-	11	
5	1	-	2	54	-	-	8	15	78	61	193	43	290	-	-	-	9	
2	6	1	-	-	13	50	4	-	-	-	-	-	-	-	-	-	1	
4	2	1	-	-	9	4	5	1	1	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	1	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	5	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十六)

中華民國 98 年

單位：人

罪名別 Crime Type	被告人數														
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty														
	無期徒刑 Life Sentence	科刑 Individuals Sentenced										拘留 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted
		有期徒刑 timed imprisonments													
六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年							
特別刑事法計 Sub-total of special criminal law	3	328	285	284	160	266	173	250	189	194	4	6	5	573	
貪污治罪條例 Punishment of corruption act	-	10	46	49	47	45	49	25	49	1	-	-	1	183	
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	
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	-	41	3	2	1	-	-	-	-	-	-	-	-	11	
違反森林法 Violation of the forestry law	-	9	-	-	-	-	-	-	-	-	-	1	-	-	
違反漁業法 Violation of the fishery law	-	-	-	-	-	-	-	-	-	-	-	-	-	4	
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	3	53	86	55	59	138	82	206	138	191	1	-	1	128	
製造運輸販賣 Manufacture, transport, or sale	3	-	7	32	53	137	82	206	136	191	-	-	-	114	
施用 Use	-	35	54	8	-	-	-	-	-	-	-	-	1	5	
其他 Other	-	18	25	15	6	1	-	-	2	-	1	-	-	9	
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
違反水利法 Violation of the irrigation management law	-	-	-	-	-	-	-	-	-	-	-	-	-	2	
違反電業法 Violation of the electricity management law	-	2	5	-	-	-	-	-	-	-	-	-	-	-	
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	-	-	-	-	-	-	-	-	-	-	
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	-	-	-	-	-	-	-	-	-	-	-	-	-	2	
違反勞工安全衛生法 Violation of the labor safety and health law	-	1	-	-	-	-	-	-	-	-	-	-	-	1	

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 16)

2009

Unit: individual

Defendants																				
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty														撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
科刑 Individuals Sentenced														免除其刑						
死刑 Death Sentence	無期徒刑 Life Sentence	有刑徒刑 timed imprisonments										拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	撤回 Withdrawn	其他 Other
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years										
-	7	132	84	69	46	103	95	80	74	36	13	5	1	32	56	-	94	861	16	
-	-	4	7	11	15	31	35	7	35	-	-	-	-	8	17	-	32	9	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	
-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	12	3	2	-	-	-	-	-	-	-	-	-	-	-	-	-	9	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	7	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	7	20	45	10	6	30	35	68	33	36	-	-	1	10	20	-	36	610	6	
-	7	-	-	2	5	29	35	68	33	36	-	-	-	8	6	-	6	181	4	
-	-	12	41	5	-	-	-	-	-	-	-	-	1	2	14	-	27	404	2	
-	-	8	4	3	1	1	-	-	-	-	-	-	-	-	-	-	3	25	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	1	2	-	-	-	-	-	-	1	-	-	-	-	-	-	5	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十七)
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 98 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison-ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison-ments more than 6 months	拘役罰金 Detention or punitive fine
特別刑事法計 Sub-total of special criminal law	171	-	2	1	14	-	126	28	241	403	4
貪污治罪條例 Punishment of corruption act	1	-	-	-	-	-	1	-	3	57	-
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	-	-	-	-	-	-	-	-	1	-	-
違反電信法 Violation of the telecommunications act	1	-	-	-	-	-	1	-	3	-	-
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	7	-	-	-	-	-	7	-	51	7	-
違反森林法 Violation of the forestry law	2	-	-	-	-	-	2	-	8	3	-
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	44	-	-	-	2	-	18	24	3	26	-
製造運輸販賣 Manufacture, transport, or sale	39	-	-	-	-	-	15	24	-	19	-
施用 Use	3	-	-	-	2	-	1	-	2	2	-
其他 Other	2	-	-	-	-	-	2	-	1	5	-
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	-	-	4	-
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	-	2	-	-
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	-	-	-	-	-	-	-	-	2	-	-

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 17)

2009

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收追 繳、追 繳或抵 償件 數 Number of confisca- tion and payment	追繳、追 繳或抵 償 件數 Number of payment		六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
241	393	4	-	10	-	1 114	3 201	1 370	42	4 188	936	64	1 212	2	1
3	57	-	-	-	-	650	16	132	40	17	3	-	153	2	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	-	-	-	-	1	2	-	-	-	-
3	-	-	-	-	-	-	7	-	-	4	9	1	7	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
51	7	-	-	-	-	-	32	-	-	17	3	-	59	-	-
8	3	-	-	-	-	-	20	-	-	14	16	-	8	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	16	-	-	10	-	259	2 138	1 217	1	3 652	320	10	86	-	-
-	9	-	-	10	-	259	529	1 198	1	983	-	-	5	-	-
2	2	-	-	-	-	-	1 497	1	-	2 587	259	-	24	-	-
1	5	-	-	-	-	-	112	18	-	82	61	10	57	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	4	-	-	-	-	1	11	-	-	13	6	2	4	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	-	-	-	-	-	-	3	-	-	-	10	-	4	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
2	-	-	-	-	-	-	-	-	-	-	3	-	1	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十八)

中華民國 98 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數													免除 其刑 Penalty releas- ed	無罪 Acquitt- ed		
		合計	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced															
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
六月以 下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 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 年至 十五 年以 下 Over 10 years to 15 years	逾十 五年 Over 15 years								
違反各種稅法 Violation of various taxation laws	27	36	-	-	10	-	-	-	-	-	-	-	-	-	-	-	-	10
違反菸酒管理法 Violation of tobacco and alcohol management law	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	14	21	-	-	-	-	-	1	-	3	1	-	-	-	-	-	-	-
違反醫師法 Violation of the physicians law	18	27	-	-	4	4	-	-	-	-	-	-	-	-	-	-	-	5
違反藥事法 Violation of the pharmaceutical affairs act	128	161	-	-	25	18	5	-	3	-	-	-	-	-	-	3	-	18
偽藥 Counterfeit medicine	126	158	-	-	24	18	5	-	3	-	-	-	-	-	-	3	-	18
其他 Other	2	3	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	2	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反著作權法 Violation of the copyright law	16	29	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	4
違法重製罪 Offence of unlawful reproduction	6	10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
移轉所有權或公開陳列時有侵害著作權 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	3	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	2
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	8	16	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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	3	3	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	2
違反公平交易法 Violation of the fair trade act	3	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	27	43	-	-	3	8	-	-	-	-	-	-	-	-	-	-	-	14
違反野生動物保育法 Violation of the wildlife conservation law	18	20	-	-	3	5	1	-	-	-	-	-	-	-	-	-	-	4
違反水污染防治法 Violation of the water pollution control law	6	8	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	1
違反兩岸關係條例 Violation of the cross-strait relations act	137	204	-	-	26	33	16	1	7	-	-	-	-	-	-	-	-	21

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 18)

2009

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 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 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	1	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	1	-	3	2	-	-	-	-	-	-
-	-	-	-	-	-	2	1	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	7	12	5	-	1	2	-	-	-	-	-	3	-	-
-	-	-	-	-	7	12	5	-	1	2	-	-	-	-	-	3	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	2	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	6	7	6	-	9	-	-	-	-	-	-	-	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十九)

中華民國 98 年

單位：人

罪名別 Crime Type	被告人數														
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty														
	科刑 Individuals Sentenced											免除其刑 Penalty released	無罪 Acquitted		
	無期徒刑 Life Sentence	有期徒刑 timed imprisonments									拘役 Detention			罰金 Punitive fine	
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years						
違反各種稅法 Violation of various taxation laws	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-
違反菸酒管理法 Violation of tobacco and alcohol management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	-	-	-	-	-	-	6	-	-	-	-	-	-	-	-
違反醫師法 Violation of the physicians law	-	6	3	-	-	-	-	-	-	-	-	-	-	-	-
違反藥事法 Violation of the pharmaceutical affairs act	-	6	8	10	2	1	-	-	-	-	-	-	-	-	6
偽藥 Counterfeit medicine	-	5	8	10	2	1	-	-	-	-	-	-	-	-	6
其他 Other	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
違反著作權法 Violation of the copyright law	-	3	8	2	-	-	-	-	-	-	-	-	-	-	8
違法重製罪 Offense of unlawful reproduction	-	2	-	-	-	-	-	-	-	-	-	-	-	-	4
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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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	-	1	8	2	-	-	-	-	-	-	-	-	-	-	4
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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	-	5	-	-	-	-	-	-	-	-	-	-	-	-	9
違反野生動物保育法 Violation of the wildlife conservation law	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
違反水污染防治法 Violation of the water pollution control law	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
違反兩岸關係條例 Violation of the cross-strait relations act	-	9	9	17	1	-	-	-	-	-	-	-	-	-	3

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 19)

2009

Unit: individual

Defendants																				
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty														撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判原審法院	撤回	其他	
死刑 Death Sentence	無期徒刑 Life Sentence	科刑 Individuals Sentenced										免除其刑 Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other		
		有期徒刑 timed imprisonments	拘役 Detention	罰金 Punitive fine																
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years										
-	-	3	-	-	-	-	-	-	-	-	2	-	-	2	-	-	-	2	1	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	2	-	
-	-	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	5	4	4	-	-	1	-	-	-	-	-	-	-	-	-	-	11	1	
-	-	5	4	4	-	-	1	-	-	-	-	-	-	-	-	-	-	10	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	1	
-	-	1	1	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
-	-	1	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	4	4	3	2	2	-	-	-	-	-	-	-	-	2	-	1	15	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二十)
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 98 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison-ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison-ments more than 6 months	拘役罰金 Detention or punitive fine
違反各種稅法 Violation of various taxation laws	1	-	-	-	-	-	1	-	3	-	-
違反菸酒管理法 Violation of tobacco and alcohol management law	-	-	-	-	-	-	-	-	-	-	-
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	1	-	-	-	-	-	-	1	5	6	-
違反藥事法 Violation of the pharmaceutical affairs act	5	-	-	-	-	-	5	-	5	16	-
偽藥 Counterfeit medicine	5	-	-	-	-	-	5	-	4	16	-
其他 Other	-	-	-	-	-	-	-	-	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	-	-	-	-	-	-	-	-	1	5	-
違法重製罪 Offence of unlawful reproduction	-	-	-	-	-	-	-	-	1	-	-
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	-	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	5	-
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	-	-	-	-	-	-	-	-	5	1	-
違反野生動物保育法 Violation of the wildlife conservation law	-	-	-	-	-	-	-	-	3	-	-
違反水污染防治法 Violation of the water pollution control law	-	-	-	-	-	-	-	-	1	-	-
違反兩岸關係條例 Violation of the cross-strait relations act	9	-	-	-	-	-	9	-	15	17	-

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 20)

2009

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收沒追 徵、追繳 或抵償件 數 Number of confisca- tion and payment	追徵、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
3	-	-	-	-	-	-	1	-	-	2	18	2	21	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-
-	-	-	-	-	-	-	12	-	-	6	-	-	-	-	-
5	6	-	-	-	-	-	5	-	-	-	11	-	15	-	-
5	16	-	-	-	-	-	57	3	-	34	3	-	42	-	-
4	16	-	-	-	-	-	56	3	-	34	1	-	41	-	-
1	-	-	-	-	-	-	1	-	-	-	2	-	1	-	-
-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
1	5	-	-	-	-	-	6	-	-	-	4	-	19	-	-
1	-	-	-	-	-	-	1	-	-	-	3	-	4	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	5	-	-	-	-	-	5	-	-	-	-	-	12	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	1	-	3	-	-	-
-	-	-	-	-	-	-	-	-	-	-	2	-	2	-	-
5	1	-	-	-	-	-	6	-	-	5	11	-	11	-	-
3	-	-	-	-	-	-	13	-	-	3	7	-	1	-	-
1	-	-	-	-	-	-	-	-	-	2	5	-	1	-	-
15	17	-	-	-	-	2	33	-	-	27	37	1	123	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二一)

中華民國 98 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced										免除 其刑 Penalty releas- ed	無罪 Acquitt- ed				
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 timed imprisonments										拘役 Deten- tion	罰金 Punitive fine		
六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 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 年至 十五 年 以下 Over 10 years to 15 years	逾十 五年 Over 15 years								
違反公司法 Violation of the company law	19	36	-	-	11	-	1	-	-	-	-	-	-	-	1	-	-	4
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	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害他人商標罪 Offense of trademark infringement	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸出仿冒商標罪 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 guns, explosives and knives control act	830	1 004	-	-	7	12	74	33	231	62	8	4	-	-	-	-	-	68
國家安全法 National security law	3	3	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反銀行法 Violation of the banking law	65	260	-	-	1	2	13	2	12	1	1	-	-	-	-	-	-	77
違反選舉罷免法 Violation of the election and recall law	169	403	-	-	16	2	12	1	6	-	-	-	-	-	-	-	-	130
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	86	152	-	-	8	4	4	-	10	-	-	-	-	2	-	-	-	15
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	5	29	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5
其他 Other	662	1 393	-	-	188	63	61	4	4	1	-	-	-	26	12	-	-	311
併案裁判 consolidated judgments	176	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 21)

2009

Unit: case; individual

Defendants																			
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																			
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced											免除 其刑 Penalty released	無罪 Acquitted				
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 timed imprisonments											拘役 Deten- tion	罰金 Punitive fine		
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 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 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years						
-	-	-	-	-	-	6	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	1	-	-	1	1	-	18	12	61	38	5	2	-	-	-	-	-	-	-
-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	6	-	-	-	1	1	8	-	19	3	17	1	-	-	-	-	-	-	-
-	1	-	-	-	7	1	5	-	5	-	-	-	-	-	-	-	-	-	3
2	-	-	-	-	2	5	3	1	23	7	-	1	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
5	4	23	-	-	35	26	40	11	11	1	3	-	-	3	-	-	-	-	18
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二二)

中華民國 98 年

單位：人

罪名別 Crime Type	被告人數													免除其刑 Penalty released	無罪 Acquitted	
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty															
	科刑 Individuals Sentenced												拘役 Detention			罰金 Punitive fine
	無期徒刑 Life Sentence	有期徒刑 timed imprisonments									Over 15 years					
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	Over 15 years							
違反公司法 Violation of the company law	-	6	1	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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	-	7	16	44	30	37	27	6	2	2	-	-	3	37		
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	-	4	12	16	2	16	1	11	-	-	-	-	-	-	7	
違反選舉罷免法 Violation of the election and recall law	-	30	14	41	3	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	-	2	2	12	4	5	7	-	-	-	-	-	-	-	7	
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	2	2	2	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	123	70	32	9	10	1	2	-	-	3	4	-	98		

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 22)

2009

Unit: case; individual

Defendants																撤銷改判免訴 Revocation of previous judgment by new judgment but with increased penalty	撤銷改判不受理 Revocation of previous judgment by new judgment but of non-entertainment	撤銷改判管轄錯誤 Revocation of previous judgment by new judgment but of wrong jurisdiction	撤銷改判發回原審法院 Revocation of previous judgment and returned back to original court	撤回 Withdrawn	其他 Other
科刑 Individuals Sentenced											免除其刑 Penalty released										
死刑 Death Sentence	無期徒刑 Life Sentence	六個月以下 6 or less than 6 months	逾六個月至一年以下 Over 6 months to 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	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years		拘役 Detention	罰金 Punitive fine								
-	-	3	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	1	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	2	5	10	20	16	1	1	-	-	-	-	4	3	-	1	89	1	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	7	-	5	-	4	2	3	-	-	-	-	-	-	-	-	-	-	5	-	
-	-	5	1	11	7	13	-	-	-	-	-	-	-	-	3	-	1	19	-	-	
-	-	1	-	-	-	2	3	-	5	-	-	-	-	-	2	-	1	12	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	2	-	1	-	-	-	-	-	-	-	2	2	-	3	-	-	-	
-	-	50	15	13	6	-	-	1	-	-	9	3	-	6	7	-	16	61	4	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二三完)
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 98 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison-ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison-ments more than 6 months	拘役罰金 Detention or punitive fine
違反公司法 Violation of the company law	2	-	-	-	-	-	2	-	6	-	-
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	-	-	-	-	-	-	-	-	-	-	-
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	25	-	-	-	1	-	21	3	-	54	-
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	5	-	-	-	-	-	5	-	3	49	-
違反選舉罷免法 Violation of the election and recall law	6	-	-	-	-	-	6	-	23	37	-
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	9	-	-	-	-	-	9	-	4	13	-
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	-	-	-	-	-	-	-	-	4	1	-
其他 Other	51	-	2	1	11	-	37	-	90	107	4

13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. End)

2009

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收追 繳、追 繳或抵 償件 數 Number of confisca- tion and payment	追繳、追 繳或抵 償 件數 Number of payment		六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒 刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒 刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
6	-	-	-	-	-	-	-	-	-	2	26	2	30	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	54	-	-	-	-	5	656	2	-	252	13	-	43	-	-
-	-	-	-	-	-	-	-	1	-	-	1	-	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	49	-	-	-	-	-	16	5	-	7	9	-	28	-	-
23	37	-	-	-	-	194	52	7	-	9	56	-	48	-	-
4	13	-	-	-	-	2	23	-	-	23	5	2	15	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
4	1	-	-	-	-	-	-	1	-	2	8	-	14	-	-
90	107	4	-	-	-	1	92	3	1	95	347	41	473	-	-