

13.高等法院暨分院受理刑事第二審案件裁判結果一按罪名別分

中華民國九十三年

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	Death Sent- ence	無期 徒刑 Life Sent- ence	科刑 Individuals Sentenced										拘役 Deten- tion			罰金 Punitiv e fine
					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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years							
合計 Total	19 398	29 418	6	67	1 960	1 952	1 109	190	383	267	366	145	5	432	104	4	4 882	
普通刑法 Subtotal of general criminal law	13 098	19 827	6	33	1 724	1 266	776	136	335	139	272	93	3	384	71	-	3 383	
瀆職罪 Offenses of malfeasance in office	53	165	-	-	2	-	1	-	-	-	-	-	-	-	-	-	11	
妨害公務罪 Offenses of interference with public functions	89	131	-	-	24	4	2	-	-	-	-	-	-	9	-	-	18	
妨害投票罪 Offenses of interference with voting	45	543	-	-	129	3	2	3	-	-	-	-	-	-	-	-	95	
妨害秩序罪 Offenses of interference with public order	7	12	-	-	1	1	1	-	-	-	-	-	-	-	-	-	-	
脫逃罪 Offenses of escape	6	12	-	-	1	1	1	-	-	-	-	-	-	-	-	-	-	
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	10	30	-	-	14	1	-	-	-	-	-	-	-	2	-	-	3	
偽證罪 Offenses of perjury	52	73	-	-	11	8	2	-	-	-	-	-	-	-	-	-	18	
誣告罪 Offenses of malicious accusation	314	386	-	-	47	26	5	-	-	-	-	-	-	2	-	-	118	
公共危險罪 Offenses against public safety	430	496	-	-	65	96	22	2	22	1	-	1	-	3	6	-	81	
放火 Arson	90	101	-	-	-	1	12	1	21	1	-	1	-	-	-	-	12	
燒燬建築物及住宅 Destruction by fire of building and residence	71	79	-	-	-	-	6	1	21	1	-	1	-	-	-	-	10	
燒燬其他物件 Destruction by fire of other objects	19	22	-	-	-	1	6	-	-	-	-	-	-	-	-	-	2	
失火 Negligent fire	23	25	-	-	11	-	-	-	-	-	-	-	-	1	-	-	7	
燒燬建築物及住宅 Destruction by fire of building and residence	21	23	-	-	11	-	-	-	-	-	-	-	-	1	-	-	7	
燒燬其他物件 Destruction by fire of other objects	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
違背建築術成規 Violation of building practice	9	34	-	-	-	-	-	-	-	-	-	-	-	-	-	-	26	
妨害衛生 Obstruction to sanitation	2	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
漏逸氣體 Gas leak	2	2	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
妨害交通安全 Obstruction to traffic safety	300	318	-	-	54	94	10	1	1	-	-	-	-	2	6	-	36	
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	47	49	-	-	14	11	-	-	-	-	-	-	-	2	5	-	7	
肇事致人死傷逃逸 Hit and run	232	233	-	-	36	80	8	1	1	-	-	-	-	-	-	-	26	
其他 Other	21	36	-	-	4	3	2	-	-	-	-	-	-	-	1	-	3	
危險物 Hazard materials	4	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
爆裂物 Explosives	4	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
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

2004

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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years					
78	717	42	79	208	699	731	672	159	333	240	362	156	5	64	25	3	90	
56	445	28	69	74	511	430	457	117	238	68	206	70	4	53	13	-	64	
-	132	6	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	3	7	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	50	17	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	5	-	-	-	1	-	-	-	-	-	-	
-	4	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
-	3	-	-	-	6	1	-	-	-	-	-	-	-	-	-	-	1	
-	31	-	-	-	12	8	2	-	1	-	-	-	-	1	-	-	6	
-	-	-	-	-	14	15	5	-	4	-	-	-	-	1	-	-	1	
-	-	-	-	-	-	-	2	-	4	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	2	-	4	-	-	-	-	-	-	-	-	
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-	-	-	-	-	14	15	2	-	-	-	-	-	-	-	-	-	1	
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-	-	-	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	8	15	2	-	-	-	-	-	-	-	-	-	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)

中華民國九十三年

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
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年 Over 15 years					
合計 Total	37	1 112	778	972	288	495	248	434	249	12	97	36	10	1 519
普通刑法 Subtotal of general criminal law	29	901	562	677	191	321	95	206	89	12	86	25	3	925
瀆職罪 Offenses of malfeasance in office	-	-	-	1	-	-	-	-	-	-	-	-	-	2
妨害公務罪 Offenses of interference with public functions	-	14	2	-	1	1	-	-	-	-	-	-	-	7
妨害投票罪 Offenses of interference with voting	-	41	20	2	-	-	-	-	-	-	-	-	-	68
妨害秩序罪 Offenses of interference with public order	-	2	1	-	-	-	-	-	-	-	-	-	-	3
脫逃罪 Offenses of escape	-	-	1	-	-	-	-	-	-	-	-	-	-	2
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	-	-	-	-	-	-	-	-	-	-	1	-	-	-
偽證罪 Offenses of perjury	-	4	-	-	-	-	-	-	-	-	-	-	-	7
誣告罪 Offenses of malicious accusation	-	17	5	3	-	-	-	-	-	-	-	-	1	46
公共危險罪 Offenses against public safety	-	23	20	16	3	4	1	2	-	-	3	-	-	10
放火 Arson	-	1	2	10	3	4	1	2	-	-	-	-	-	2
燒燬建築物及住宅 Destruction by fire of building and residence	-	1	1	6	3	4	1	2	-	-	-	-	-	2
燒燬其他物件 Destruction by fire of other objects	-	-	1	4	-	-	-	-	-	-	-	-	-	-
失火 Negligent fire	-	-	-	-	-	-	-	-	-	-	3	-	-	-
燒燬建築物及住宅 Destruction by fire of building and residence	-	-	-	-	-	-	-	-	-	-	2	-	-	-
燒燬其他物件 Destruction by fire of other objects	-	-	-	-	-	-	-	-	-	-	1	-	-	-
違背建築術成規 Violation of building practice	-	-	-	-	-	-	-	-	-	-	-	-	-	1
妨害衛生 Obstruction to sanitation	-	-	-	2	-	-	-	-	-	-	-	-	-	-
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	-	21	9	2	-	-	-	-	-	-	-	-	-	7
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	-	1	-	-	-	-	-	-	-	-	-	-	-	-
肇事致人死傷逃逸 Hit and run	-	13	9	2	-	-	-	-	-	-	-	-	-	4
其他 Other	-	7	-	-	-	-	-	-	-	-	-	-	-	3
危險物 Hazard materials	-	1	9	2	-	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	1	9	2	-	-	-	-	-	-	-	-	-	-
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. 1)

2004

Unit: individual

Defendants														撤銷改判免訴 Revocation of previous judgment by new judgment but with increased penalty	撤銷改判不理 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	有期徒刑 timed imprisonments									拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	撤銷改判免訴 Revocation of previous judgment by new judgment but of exemption from prosecution	撤銷改判不理 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
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	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									
9	26	950	741	501	130	236	144	179	82	8	160	80	-	86	230	5	275	2 543	211
9	7	753	365	325	100	176	43	91	41	7	137	61	-	47	149	3	175	1 524	168
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	9	-	-
-	-	21	4	-	-	-	-	-	-	-	3	-	-	2	2	-	-	7	-
-	-	82	1	-	-	-	-	-	-	-	-	-	-	-	4	-	-	26	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-
-	-	4	1	-	-	-	-	-	-	-	-	-	-	-	1	-	1	5	-
-	-	15	11	3	-	-	-	-	-	-	2	1	-	-	11	-	3	9	-
-	-	16	7	5	2	5	-	-	-	-	1	-	-	-	4	-	2	33	-
-	-	-	1	3	1	5	-	-	-	-	-	-	-	-	2	-	-	9	-
-	-	-	-	1	1	5	-	-	-	-	-	-	-	-	1	-	-	5	-
-	-	-	1	2	-	-	-	-	-	-	-	-	-	-	1	-	-	4	-
-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	1	-
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-	-	10	5	2	1	-	-	-	-	-	-	-	-	-	1	-	2	22	-
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-	-	6	4	2	-	-	-	-	-	-	-	-	-	-	-	-	-	15	-
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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)

中華民國九十三年

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	703	-	20	-	294	195	170	24	922	1 301	191
普通刑法 Subtotal of general criminal law	582	-	17	-	225	194	137	9	734	930	163
瀆職罪 Offenses of malfeasance in office	-	-	-	-	-	-	-	-	-	1	-
妨害公務罪 Offenses of interference with public functions	-	-	-	-	-	-	-	-	9	3	2
妨害投票罪 Offenses of interference with voting	1	-	-	-	-	-	1	-	166	13	-
妨害秩序罪 Offenses of interference with public order	1	-	-	-	1	-	-	-	-	-	-
脫逃罪 Offenses of escape	-	-	-	-	-	-	-	-	-	-	-
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	-	-	-	-	-	-	-	-	1	-	1
偽證罪 Offenses of perjury	-	-	-	-	-	-	-	-	6	4	-
誣告罪 Offenses of malicious accusation	1	-	-	-	-	-	1	-	29	21	1
公共危險罪 Offenses against public safety	14	-	2	-	1	-	11	-	20	35	1
放火 Arson	5	-	2	-	-	-	3	-	1	10	-
燒燬建築物及住宅 Destruction by fire of building and residence	5	-	2	-	-	-	3	-	1	7	-
燒燬其他物件 Destruction by fire of other objects	-	-	-	-	-	-	-	-	-	3	-
失火 Negligent fire	-	-	-	-	-	-	-	-	1	-	1
燒燬建築物及住宅 Destruction by fire of building and residence	-	-	-	-	-	-	-	-	1	-	1
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	-	-	-	-	-	-	-	-	-	-	-
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	9	-	-	-	1	-	8	-	18	25	-
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	1	-	-	-	-	-	1	-	-	1	-
肇事致人死傷逃逸 Hit and run	4	-	-	-	1	-	3	-	13	21	-
其他 Other	4	-	-	-	-	-	4	-	5	3	-
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)

2004

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 confiscation cases		六月以下有期徒刑 Timed imprisonments of 6 or less than 6 months	拘役 Detention	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 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	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							
922	1 263	191	-	38	-	2 155	6 285	3 829	4 526	788	76	4
734	895	163	-	35	-	780	3 215	2 220	3 761	694	34	4
-	1	-	-	-	-	-	-	-	2	-	-	-
9	3	2	-	-	-	-	7	12	62	13	-	-
166	13	-	-	-	-	327	5	12	302	-	-	-
-	-	-	-	-	-	-	2	4	3	-	-	-
-	-	-	-	-	-	-	1	4	1	-	-	-
1	-	1	-	-	-	-	-	2	16	3	-	-
6	4	-	-	-	-	-	-	9	-	-	-	-
29	21	1	-	-	-	-	8	19	9	4	-	-
20	35	1	-	-	-	-	34	86	122	15	-	-
1	10	-	-	-	-	-	27	16	1	-	-	-
1	7	-	-	-	-	-	18	13	1	-	-	-
-	3	-	-	-	-	-	-	9	3	-	-	-
1	-	1	-	-	-	-	-	3	11	6	-	-
1	-	1	-	-	-	-	-	3	11	4	-	-
-	-	-	-	-	-	-	-	-	-	2	-	-
-	-	-	-	-	-	-	-	1	6	-	-	-
-	-	-	-	-	-	-	1	-	-	-	-	-
18	25	-	-	-	-	-	2	65	103	9	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	-	-	-	18	21	9	-	-
13	21	-	-	-	-	-	1	47	63	-	-	-
5	3	-	-	-	-	-	1	-	19	-	-	-
-	-	-	-	-	-	-	4	1	1	-	-	-
-	-	-	-	-	-	-	4	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(續三)

中華民國九十三年

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	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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五年 以下 Over 10 years to 15 or less than 15 years	逾十五年 以下 Over 15 years									
偽造貨幣罪 Offenses of counterfeiting currency	135	178	-	-	-	-	13	2	46	2	-	-	-	-	2	-	16
偽造有價證券罪 Offenses of counterfeiting valuable securities	442	539	-	-	1	6	26	3	46	2	1	-	-	-	-	-	84
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	1 714	2 624	-	-	212	106	106	9	6	1	-	-	-	4	-	-	502
偽造變造私文書 Forgery or alteration of private documents	1 283	1 756	-	-	127	90	47	6	2	1	-	-	-	-	-	-	334
偽造變造公文書 Forgery or alteration of public documents	102	178	-	-	-	3	32	3	3	-	-	-	-	-	-	-	8
偽造變造特種文書 Forgery or alteration of special documents	28	48	-	-	4	2	-	-	-	-	-	-	-	1	-	-	15
公文書不實登載 False entry in public documents	77	198	-	-	-	2	19	-	1	-	-	-	-	-	-	-	29
使公務員登載不實 Causing a functionary to make false entries in public documents	122	279	-	-	56	6	7	-	-	-	-	-	-	3	-	-	75
業務上文書登載不實 False entry in occupational documents	58	111	-	-	16	-	-	-	-	-	-	-	-	-	-	-	29
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	32	39	-	-	7	2	-	-	-	-	-	-	-	-	-	-	12
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	12	15	-	-	2	1	1	-	-	-	-	-	-	-	-	-	-
妨害性自主罪 Offenses against sexual autonomy	737	774	2	2	19	40	29	7	97	13	42	5	-	-	-	-	65
強制性交猥褻 Forced sexual intercourse or obscene act	715	752	-	2	18	40	29	7	97	13	42	5	-	-	-	-	64
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	18	18	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	4	4	-	-	1	-	-	-	-	-	-	-	-	-	-	-	1
妨害風化罪 Offenses against sexual morality	409	677	-	-	39	24	137	2	-	1	-	-	-	4	-	-	67
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	369	622	-	-	34	20	136	2	-	1	-	-	-	-	-	-	56
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	37	50	-	-	4	4	-	-	-	-	-	-	-	2	-	-	11
其他 Other	3	5	-	-	1	-	1	-	-	-	-	-	-	2	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	98	137	-	-	53	2	3	-	2	-	-	-	-	-	-	-	16

### 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)

2004

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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years					
-	-	-	-	-	-	-	-	1	1	20	1	-	-	-	-	-	1	
-	1	-	-	-	1	-	27	2	58	5	2	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
7	74	4	-	-	138	96	95	16	3	-	-	-	-	3	-	-	29	
5	32	1	-	-	108	85	46	13	3	-	-	-	-	-	-	-	11	
-	22	-	-	-	-	2	42	2	-	-	-	-	-	-	-	-	-	
2	1	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	11	
-	5	3	-	-	-	3	7	1	-	-	-	-	-	-	-	-	2	
-	12	-	-	-	17	3	-	-	-	-	-	-	-	3	-	-	-	
-	1	-	-	-	10	-	-	-	-	-	-	-	-	-	-	-	5	
-	1	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	
-	2	4	8	1	2	12	13	3	42	5	33	6	1	-	-	-	-	
-	2	4	-	-	2	12	13	3	42	5	33	6	1	-	-	-	-	
-	-	-	8	1	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2	2	1	-	-	16	12	92	5	9	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	2	-	-	-	13	12	92	5	9	-	-	-	-	-	-	-	-	
2	-	1	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
-	3	-	-	-	16	3	1	-	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(續四)

中華民國九十三年

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 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年 Over 15 years						
偽造貨幣罪 Offenses of counterfeiting currency	-	-	-	7	4	13	1	-	-	-	-	2	-	5
偽造有價證券罪 Offenses of counterfeiting valuable securities	-	1	2	60	12	44	2	2	-	-	-	-	-	36
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	-	177	114	130	25	16	3	-	-	-	10	-	-	167
偽造變造私文書 Forgery or alteration of private documents	-	127	89	60	19	12	-	-	-	-	-	-	-	124
偽造變造公文書 Forgery or alteration of public documents	-	-	8	23	2	1	-	-	-	-	-	-	-	8
偽造變造特種文書 Forgery or alteration of special documents	-	1	-	-	-	-	-	-	-	-	-	-	-	2
公文書不實登載 False entry in public documents	-	2	12	44	3	3	3	-	-	-	-	-	-	12
使公務員登載不實 Causing a functionary to make false entries in public documents	-	32	2	2	1	-	-	-	-	-	8	-	-	10
業務上文書登載不實 False entry in occupational documents	-	12	1	-	-	-	-	-	-	-	2	-	-	9
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	-	3	1	-	-	-	-	-	-	-	-	-	-	-
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	-	-	1	1	-	-	-	-	-	-	-	-	-	2
妨害性自主罪 Offenses against sexual autonomy	3	6	15	26	15	51	9	25	2	-	-	-	-	49
強制性交猥褻 Forced sexual intercourse or obscene act	-	6	13	26	15	51	9	24	2	-	-	-	-	48
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	3	-	-	-	-	-	-	1	-	-	-	-	-	1
其他 Other	-	-	2	-	-	-	-	-	-	-	-	-	-	-
妨害風化罪 Offenses against sexual morality	-	38	27	60	3	2	-	-	-	-	-	-	-	24
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	-	34	27	60	3	2	-	-	-	-	-	-	-	22
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	-	4	-	-	-	-	-	-	-	-	-	-	-	2
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	-	3	-	2	-	1	-	-	-	-	-	-	-	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. 4)

2004

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 Death Sentence	無期徒刑 Life Sentence	有期徒刑 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
		六個月以下 6 or less than 6 months	逾六個月至一年以下 Over 6 months to 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年	Over 15 years									
-	-	-	-	4	3	4	1	-	-	-	-	-	-	-	-	2	-	1	26	-
-	-	-	2	7	9	41	3	1	-	1	-	-	-	4	2	-	6	36	3	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	153	54	40	17	11	-	-	-	-	5	1	-	6	13	-	41	210	20	
-	-	117	39	24	13	7	-	-	-	-	-	-	-	5	7	-	29	160	13	
-	-	-	1	4	2	3	-	-	-	-	-	-	-	-	-	-	1	8	-	
-	-	1	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1	3	1	
-	-	-	9	12	2	-	-	-	-	-	-	-	-	-	4	-	8	8	4	
-	-	18	4	-	-	-	-	-	-	-	4	1	-	1	-	-	1	13	-	
-	-	15	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	7	2	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	9	-	
-	-	1	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	2	-	
-	-	2	8	6	3	17	1	12	3	-	-	-	-	-	6	-	5	53	4	
-	-	2	8	6	3	17	1	11	2	-	-	-	-	-	6	-	5	53	4	
-	-	-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	13	7	23	-	-	-	3	-	-	7	2	-	4	2	-	4	43	2	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	9	7	23	-	-	-	3	-	-	2	-	-	2	2	-	2	40	2	
-	-	4	-	-	-	-	-	-	-	-	5	2	-	2	-	-	2	3	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	17	1	1	-	1	-	-	-	-	-	-	-	-	5	-	1	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)

中華民國九十三年

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	2	-	-	-	1	-	1	-	-	9	-
偽造有價證券罪 Offenses of counterfeiting valuable securities	10	-	-	-	4	-	6	-	-	52	-
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	12	-	-	-	3	-	9	-	118	146	5
偽造變造私文書 Forgery or alteration of private documents	9	-	-	-	3	-	6	-	81	58	-
偽造變造公文書 Forgery or alteration of public documents	2	-	-	-	-	-	2	-	-	31	-
偽造變造特種文書 Forgery or alteration of special documents	-	-	-	-	-	-	-	-	3	-	-
公文書不實登載 False entry in public documents	-	-	-	-	-	-	-	-	2	50	-
使公務員登載不實 Causing a functionary to make false entries in public documents	1	-	-	-	-	-	1	-	25	7	4
業務上文書登載不實 False entry in occupational documents	-	-	-	-	-	-	-	-	7	-	1
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	-	-	-	-	-	-	-	-	-	-	-
妨害性自主罪 Offenses against sexual autonomy	198	-	1	-	-	180	16	1	4	45	-
強制性交猥褻 Forced sexual intercourse or obscene act	193	-	1	-	-	175	16	1	4	45	-
強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act	4	-	-	-	-	4	-	-	-	-	-
其他 Other	1	-	-	-	-	1	-	-	-	-	-
妨害風化罪 Offenses against sexual morality	6	-	-	-	-	-	6	-	10	52	1
強姦 Rape	-	-	-	-	-	-	-	-	-	-	-
強姦殺人 Rape homicide	-	-	-	-	-	-	-	-	-	-	-
意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	6	-	-	-	-	-	6	-	7	52	-
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	-	-	-	-	-	-	-	-	3	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	1
妨害婚姻及家庭罪 Offenses against marriage and family	1	-	-	-	-	1	-	-	12	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. 5)

2004

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 confiscation cases		六月以下 有期徒刑 Timed imprisonments of 6 or less than 6 months	拘役 Detention	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 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	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							
-	9	-	-	-	-	-	99	40	-	-	-	-
-	51	-	-	1	-	1	304	56	4	-	3	2
-	-	-	-	-	-	-	-	-	-	-	-	-
118	146	5	-	-	-	5	688	152	673	24	22	1
81	58	-	-	-	-	1	588	118	473	-	10	1
-	31	-	-	-	-	-	62	14	-	-	1	-
3	-	-	-	-	-	-	8	3	8	3	-	-
2	50	-	-	-	-	1	7	3	-	-	8	-
25	7	4	-	-	-	3	1	5	123	18	-	-
7	-	1	-	-	-	-	-	1	53	3	3	-
-	-	-	-	-	-	-	13	5	13	-	-	-
-	-	-	-	-	-	-	9	3	3	-	-	-
4	39	-	-	6	-	28	45	60	20	-	-	-
4	39	-	-	6	-	14	41	57	19	-	-	-
-	-	-	-	-	-	14	4	3	-	-	-	-
-	-	-	-	-	-	-	-	-	1	-	-	-
10	52	1	-	-	-	-	218	134	104	11	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
7	52	-	-	-	-	-	199	125	88	2	-	-
3	-	-	-	-	-	-	19	8	14	7	-	-
-	-	1	-	-	-	-	-	1	2	2	-	-
12	2	-	-	-	-	-	2	7	89	-	-	-

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)

中華民國九十三年

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	有刑徒刑 timed imprisonments											拘役 Deten- tion	罰金 Punitive fine	
六月以 下 6 or less than 6 months	六月以 下 逾一年 至一年 以下 Over 6 months to 1 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years			逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五年 以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years								
褻瀆祀典及侵冢墳屍體罪 Offenses against religion, graves, and corpses	10	17	-	-	-	4	-	-	-	-	-	-	-	-	-	-	-	2
妨害農工商罪 Offenses against agriculture, industry & commerce	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	104	562	-	-	95	16	3	-	-	-	-	-	-	-	-	-	21	219
單純賭博 Simple gambling	71	462	-	-	60	8	1	-	-	-	-	-	-	-	-	-	21	207
供給賭博場所等賭博 Gamble of providing gambling places and the like	33	100	-	-	35	8	2	-	-	-	-	-	-	-	-	-	-	12
殺人罪 Offenses of homicide	1 072	1 314	2	17	98	128	29	5	6	34	23	50	1	3	-	-	-	173
殺人 Homicide	492	649	2	17	-	1	4	4	6	34	23	50	1	-	-	-	-	52
既遂 Consummation	284	392	2	16	-	-	-	-	1	3	9	49	1	-	-	-	-	27
普通殺人 General homicide	279	387	2	15	-	-	-	-	1	3	9	49	1	-	-	-	-	27
殺害直系尊親屬 Homicide of lineal ascendants by blood	5	5	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
未遂 Attempt	208	257	-	1	-	1	4	4	5	31	14	1	-	-	-	-	-	25
普通殺人 General homicide	203	252	-	1	-	1	4	4	5	31	14	1	-	-	-	-	-	25
殺害直系尊親屬 Homicide of lineal ascendants by blood	5	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
過失致死 Manslaughter	580	665	-	-	98	127	25	1	-	-	-	-	-	-	3	-	-	121
一般過失致人於死 General negligent killing	14	20	-	-	-	3	-	-	-	-	-	-	-	-	-	-	-	9
醫師業務過失致人於死 Occupational negligent killing by a physician	21	37	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20
密醫過失致人於死 Negligent killing by an unlicensed physician	2	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
交通業務過失致人於死 Occupational negligent killing by a driver	203	214	-	-	23	39	17	1	-	-	-	-	-	-	-	-	-	32
交通一般過失致人於死 General negligent killing by a driver	262	272	-	-	63	81	6	-	-	-	-	-	-	-	-	-	-	24
其他業務過失致人於死 Other occupational negligent killing	78	118	-	-	12	4	2	-	-	-	-	-	-	3	-	-	-	34

**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)**

2004

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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years					
-	-	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1	1	-	-	-	33	14	-	-	-	-	-	-	-	-	3	-	-	
1	1	-	-	-	28	5	-	-	-	-	-	-	-	-	3	-	-	
-	-	-	-	-	5	9	-	-	-	-	-	-	-	-	-	-	-	
1	3	1	35	49	26	17	2	3	14	21	7	26	2	1	-	-	1	
-	1	-	35	49	-	-	1	2	12	21	7	26	2	-	-	-	-	
-	-	-	35	49	-	-	-	-	-	1	1	18	2	-	-	-	-	
-	-	-	35	48	-	-	-	-	-	1	1	18	2	-	-	-	-	
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	1	-	-	-	-	-	1	2	12	20	6	8	-	-	-	-	-	
-	1	-	-	-	-	-	1	2	11	20	6	8	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	
1	2	1	-	-	26	17	1	1	2	-	-	-	-	1	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	2	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	7	7	1	1	1	-	-	-	-	-	-	-	-	
1	2	-	-	-	7	7	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	10	2	-	-	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(續七)

中華民國九十三年

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		
	科刑 Individuals Sentenced											免除其刑 Penalty released			
	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 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 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	-	-	-	-	-	-	-	-	-	-	-	-	3
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
賭博罪 Offenses of gambling	-	27	5	3	-	-	-	-	-	-	-	-	-	-	25
單純賭博 Simple gambling	-	23	4	-	-	-	-	-	-	-	-	-	-	-	23
供給賭博場所等賭博 Gamble of providing gambling places and the like	-	4	1	3	-	-	-	-	-	-	-	-	-	-	2
殺人罪 Offenses of homicide	14	54	35	24	16	18	20	33	57	5	1	-	-	-	69
殺人 Homicide	14	2	1	2	14	16	20	33	57	5	-	-	-	-	30
既遂 Consummation	14	-	-	-	4	2	2	20	54	5	-	-	-	-	12
普通殺人 General homicide	13	-	-	-	4	1	2	20	54	5	-	-	-	-	12
殺害直系尊親屬 Homicide of lineal ascendants by blood	1	-	-	-	-	1	-	-	-	-	-	-	-	-	-
未遂 Attempt	-	2	1	2	10	14	18	13	3	-	-	-	-	-	18
普通殺人 General homicide	-	2	1	2	10	13	18	12	3	-	-	-	-	-	18
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	1	-	1	-	-	-	-	-	-	-
過失致死 Manslaughter	-	52	34	22	2	2	-	-	-	-	1	-	-	-	39
一般過失致人於死 General negligent killing	-	1	1	1	-	-	-	-	-	-	-	-	-	-	1
醫師業務過失致人於死 Occupational negligent killing by a physician	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5
密醫過失致人於死 Negligent killing by an uncensed physician	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-
交通業務過失致人於死 Occupational negligent killing by a driver	-	16	16	8	1	1	-	-	-	-	-	-	-	-	13
交通一般過失致人於死 General negligent killing by a driver	-	29	11	3	-	-	-	-	-	-	1	-	-	-	6
其他業務過失致人於死 Other occupational negligent killing	-	6	6	8	1	1	-	-	-	-	-	-	-	-	14

### 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)

2004

Unit: 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	拘留 Detention	罰金 Punitive fine	撤銷改判 Revocation of previous judgment but of exemption from prosecution	撤銷改判不受理 Revocation of previous judgment but of non-entertainment						
死刑 Death Sentence	無期徒刑 Life Sentence	有刑徒刑 timed imprisonments													拘留 Detention	罰金 Punitive fine	免除其刑 Penalty released	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 but of wrong jurisdiction
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年 Over 15 years	拘留 Detention	罰金 Punitive fine	免除其刑 Penalty released	撤銷改判免訴 Revocation of previous judgment by new judgment but with increased penalty						
-	-	-	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	44	8	2	-	-	-	-	-	-	-	20	-	1	1	-	-	20	-	
-	-	35	4	1	-	-	-	-	-	-	-	20	-	1	1	-	-	15	-	
-	-	9	4	1	-	-	-	-	-	-	-	-	-	-	-	-	-	5	-	
3	2	29	24	9	4	12	5	9	25	3	5	-	-	-	10	-	2	46	2	
3	2	-	-	1	3	12	5	9	25	3	-	-	-	-	9	-	1	30	2	
3	2	-	-	-	-	2	2	7	23	3	-	-	-	-	4	-	1	17	1	
3	2	-	-	-	-	2	2	7	23	3	-	-	-	-	4	-	1	16	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	-	-	1	3	10	3	2	2	-	-	-	-	-	5	-	-	13	1	
-	-	-	-	1	3	10	3	2	2	-	-	-	-	-	5	-	-	11	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	
-	-	29	24	8	1	-	-	-	-	-	5	-	-	-	1	-	1	16	-	
-	-	2	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	8	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	13	8	4	1	-	-	-	-	-	1	-	-	-	-	-	-	2	-	
-	-	9	15	4	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	
-	-	5	1	-	-	-	-	-	-	-	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)

中華民國九十三年

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	1	-	-	-	-	-	1	-	42	1	-
單純賭博 Simple gambling	1	-	-	-	-	-	1	-	27	1	-
供給賭博場所等賭博 Gamble of providing gambling places and the like	-	-	-	-	-	-	-	-	15	-	-
殺人罪 Offenses of homicide	29	-	7	-	10	-	9	3	67	101	4
殺人 Homicide	24	-	7	-	10	-	4	3	-	10	-
既遂 Consummation	12	-	5	-	3	-	1	3	-	1	-
普通殺人 General homicide	11	-	4	-	3	-	1	3	-	1	-
殺害直系尊親屬 Homicide of lineal ascendants by blood	1	-	1	-	-	-	-	-	-	-	-
未遂 Attempt	12	-	2	-	7	-	3	-	-	9	-
普通殺人 General homicide	11	-	1	-	7	-	3	-	-	9	-
殺害直系尊親屬 Homicide of lineal ascendants by blood	1	-	1	-	-	-	-	-	-	-	-
過失致死 Manslaughter	5	-	-	-	-	-	5	-	67	91	4
一般過失致人於死 General negligent killing	-	-	-	-	-	-	-	-	-	1	-
醫師業務過失致人於死 Occupational negligent killing by a physician	-	-	-	-	-	-	-	-	1	1	-
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	2	-	-	-	-	-	2	-	23	27	-
交通一般過失致人於死 General negligent killing by a driver	3	-	-	-	-	-	3	-	32	47	-
其他業務過失致人於死 Other occupational negligent killing	-	-	-	-	-	-	-	-	11	15	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. 8)

2004

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 confiscation cases		六月以下有期徒刑 Timed imprisonments of 6 or less than 6 months	拘役 Detention	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 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	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							
-	1	-	-	-	-	-	-	-	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
42	1	-	-	-	-	-	73	27	200	-	-	-
27	1	-	-	-	-	-	52	12	146	-	-	-
15	-	-	-	-	-	-	21	15	54	-	-	-
67	96	4	-	5	-	251	251	116	208	10	1	1
-	6	-	-	4	-	251	250	86	2	-	1	1
-	-	-	-	1	-	237	146	59	-	-	1	1
-	-	-	-	1	-	233	145	58	-	-	1	1
-	-	-	-	-	-	4	1	1	-	-	-	-
-	6	-	-	3	-	14	104	27	2	-	-	-
-	6	-	-	3	-	14	103	26	2	-	-	-
-	-	-	-	-	-	-	1	1	-	-	-	-
67	90	4	-	1	-	-	1	30	206	10	-	-
-	1	-	-	-	-	-	-	1	3	2	-	-
1	1	-	-	-	-	-	-	-	2	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
23	27	-	-	-	-	-	-	17	60	1	-	-
32	46	-	-	1	-	-	-	12	108	1	-	-
11	15	4	-	-	-	-	1	-	33	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(續九)

中華民國九十三年

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 releas- ed	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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years			逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years							
傷 害 罪 Offenses of causing bodily harm	1 439	1 971	-	-	409	65	22	6	22	20	39	5	-	230	16	-	256
傷 害 直 系 尊 親 屬 Bodily harm of lineal ascendants by blood	5	7	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-
重 傷 害 Serious bodily harm	45	58	-	-	-	-	1	4	3	2	-	-	-	-	-	-	5
傷 害 致 死 Bodily harm resulting in death	144	259	-	-	-	-	1	-	5	18	39	5	-	-	-	-	13
醫 師 業 務 過 失 傷 害 Occupational negligent bodily harm by a physician	9	16	-	-	-	1	-	-	-	-	-	-	-	-	-	-	3
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	161	167	-	-	52	12	1	-	-	-	-	-	-	15	-	-	23
交 通 一 般 過 失 傷 害 General negligent bodily harm by a driver	352	366	-	-	127	14	-	-	-	-	-	-	-	49	-	-	34
其 他 業 務 過 失 傷 害 Other occupational negligent bodily harm	30	45	-	-	6	1	-	-	-	-	-	-	-	-	-	-	24
其 他 Other	693	1 053	-	-	224	36	19	2	14	-	-	-	-	166	16	-	154
墮 胎 罪 Offenses of abortion	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
遺 棄 罪 Offenses of abandonment	13	18	-	-	-	2	-	-	-	-	-	1	-	-	-	-	4
妨 害 自 由 罪 Offenses against personal liberty	500	951	-	-	118	37	15	3	1	-	3	1	-	45	3	-	215
使 人 為 奴 隸 及 買 賣 質 押 人 口 Enslavement of, trade in, and pawning of, persons	2	3	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-
詐 術 使 人 出 國 Fraudulently causing a person to leave the territory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
略 誘 罪 Abduction	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
剝 奪 行 動 自 由 Deprivation of freedom of movement	231	520	-	-	64	30	14	3	1	-	1	1	-	3	1	-	83
強 制 罪 Coercion offense	120	222	-	-	24	1	-	-	-	-	-	-	-	9	1	-	83
恐 嚇 危 害 安 全 Obstruction of safety by threat	131	177	-	-	30	6	1	-	-	-	-	-	-	24	1	-	44
侵 入 或 滯 留 Trespassing on, or lingering in, a property	15	28	-	-	-	-	-	-	-	-	-	-	-	9	-	-	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)

2004

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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years					
-	29	1	-	-	56	14	11	5	12	6	23	3	-	26	5	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	5	-	-	-	-	-	3	3	2	3	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	1	7	3	23	3	-	-	-	-	-	
-	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	3	1	-	-	4	1	-	-	-	-	-	-	-	2	-	-	-	
-	4	-	-	-	17	4	-	-	-	-	-	-	-	5	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	12	-	-	-	35	9	8	1	3	-	-	-	-	19	5	-	-	
-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	1	-	1	-	-	-	-	-	-	
2	13	-	-	-	47	25	10	-	-	-	2	-	-	4	3	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	3	-	-	-	36	21	8	-	-	-	2	-	-	-	-	-	-	
-	7	-	-	-	3	3	-	-	-	-	-	-	-	2	3	-	-	
1	2	-	-	-	7	1	2	-	-	-	-	-	-	2	-	-	-	
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)

中華民國九十三年

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		
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年 Over 15 years					
傷害 Offenses of causing bodily harm	-	101	17	31	16	51	18	27	12	2	35	8	1	59
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	-	2	1	2	-	-	-	-	-	-	1	-	-	-
重傷 Serious bodily harm	-	-	-	3	7	3	1	2	-	-	-	-	-	1
傷害致死 Bodily harm resulting in death	-	-	-	1	2	34	17	25	12	2	-	-	-	10
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	-	20	4	-	-	-	-	-	-	-	5	-	-	2
交通一般過失傷害 General negligent bodily harm by a driver	-	20	-	-	-	-	-	-	-	-	12	1	1	6
其他業務過失傷害 Other occupational negligent bodily harm	-	2	-	-	-	-	-	-	-	-	-	-	-	2
其他 Other	-	57	12	25	7	14	-	-	-	-	17	7	-	38
墮胎 Offenses of abortion	-	-	-	-	-	-	-	-	-	-	-	-	-	-
遺棄 Offenses of abandonment	-	1	2	-	-	-	-	-	-	-	-	-	-	4
妨害自由 Offenses against personal liberty	-	91	47	18	5	-	1	1	-	-	18	5	-	41
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	-	-	-	-	-	-	-	-	-	-	-	-	-	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	-	64	43	17	4	-	1	1	-	-	5	-	-	17
強制 Coercion offense	-	17	3	1	1	-	-	-	-	-	8	4	-	13
恐嚇危害安全 Obstruction of safety by threat	-	10	1	-	-	-	-	-	-	-	4	1	-	9
侵入或滯留 Trespassing on, or lingering in, a property	-	-	-	-	-	-	-	-	-	-	1	-	-	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. 10)

2004

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	Penalty released						
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 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年	Detention	Punitive fine	Penalty released						
-	-	54	21	10	1	11	8	20	1	-	49	8	-	-	18	-	18	87	6
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	4	2	1	-	-	-	-	-	-	-	-	-	2	1
-	-	-	-	-	-	3	6	19	1	-	-	-	-	-	1	-	-	8	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6	1	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	7	3	-	-	-	-	-	-	-	2	-	-	-	-	-	1	9	-
-	-	19	6	-	-	-	-	-	-	-	13	2	-	-	4	-	3	22	3
-	-	1	2	-	-	-	-	-	-	-	2	-	-	-	-	-	1	4	-
-	-	27	10	10	1	4	-	-	-	-	32	6	-	-	13	-	7	41	2
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	1	-	-	-	-
-	-	57	11	5	-	-	-	-	-	-	16	7	-	1	6	-	8	63	3
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	41	3	4	-	-	-	-	-	-	-	-	-	1	1	-	7	39	1
-	-	10	6	-	-	-	-	-	-	-	8	-	-	-	-	-	-	14	1
-	-	6	1	-	-	-	-	-	-	-	8	7	-	-	-	-	1	7	1
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	5	-	-	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)

中華民國九十三年

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	22	-	1	-	-	1	19	1	108	44	79
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	-	-	-	-	-	-	-	-	1	-	1
重傷 Serious bodily harm	1	-	1	-	-	-	-	-	-	1	-
傷害致死 Bodily harm resulting in death	2	-	-	-	-	1	-	1	-	1	-
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	-	-	-	-	-	-	-	-	21	3	2
交通一般過失傷害 General negligent bodily harm by a driver	1	-	-	-	-	-	1	-	45	8	26
其他業務過失傷害 Other occupational negligent bodily harm	-	-	-	-	-	-	-	-	3	1	-
其他 Other	18	-	-	-	-	-	18	-	38	29	50
墮胎 Offenses of abortion	-	-	-	-	-	-	-	-	-	-	-
遺棄 Offenses of abandonment	-	-	-	-	-	-	-	-	-	2	-
妨害自由 Offenses against personal liberty	2	-	-	-	-	-	2	-	14	16	25
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	2	-	-	-	-	-	2	-	8	14	-
強制 Coercion offense	-	-	-	-	-	-	-	-	3	-	10
恐嚇危害安全 Obstruction of safety by threat	-	-	-	-	-	-	-	-	3	2	13
侵入或滯留 Trespassing on, or lingering in, a property	-	-	-	-	-	-	-	-	-	-	2
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)

2004

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		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	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							
108	43	79	-	1	-	17	106	112	621	349	-	-
1	-	1	-	-	-	1	1	2	1	1	-	-
-	1	-	-	-	-	-	15	4	-	-	-	-
-	1	-	-	-	-	16	34	25	-	-	-	-
-	1	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
21	3	2	-	-	-	-	-	4	83	25	-	-
45	8	26	-	-	-	-	-	12	182	81	-	-
3	1	-	-	-	-	-	-	1	9	2	-	-
38	28	50	-	1	-	-	56	64	346	240	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	2	-	-	-	-	-	-	1	1	-	-	-
14	16	25	-	-	-	-	50	108	311	86	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
8	14	-	-	-	-	-	33	71	206	8	-	-
3	-	10	-	-	-	-	8	24	51	27	-	-
3	2	13	-	-	-	-	9	13	53	40	-	-
-	-	2	-	-	-	-	-	-	1	11	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-



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)

中華民國九十三年

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 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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years			逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years								
妨害名譽及信用罪 Offenses against personal reputation & credits	190	281	-	-	12	1	-	-	-	-	-	-	-	-	37	21	-	100
妨害秘密罪 Offenses relating to protection of secrets	6	10	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-
竊盜罪 Offenses of larceny	1595	2006	-	-	127	326	95	21	12	-	-	-	-	-	13	2	-	240
普通竊盜竊占 Common theft and theft of movables or immovables	579	713	-	-	90	64	19	1	-	-	-	-	-	-	13	2	-	142
加重竊盜 Severe theft	900	1113	-	-	37	259	66	12	4	-	-	-	-	-	-	-	-	90
常業竊盜 Occupational theft	116	180	-	-	-	3	10	8	8	-	-	-	-	-	-	-	-	8
強盜罪 Offenses of robbery	750	1079	1	13	-	-	5	17	39	53	155	25	2	-	-	-	-	49
搶奪及海盜罪 Offenses of snatch of property and piracy	291	334	-	-	2	39	29	9	10	3	-	-	-	-	-	-	-	24
侵占罪 Offenses of misappropriation	583	738	-	-	32	123	26	4	2	-	-	-	-	-	6	-	-	180
普通侵占 Common embezzlement	169	212	-	-	21	11	1	2	1	-	-	-	-	-	6	-	-	66
公務公益侵占 Official embezzlement	5	11	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-
業務侵占 Occupational embezzlement	401	505	-	-	11	112	24	1	1	-	-	-	-	-	-	-	-	110
侵占遺失物 Embezzlement of lost articles	8	10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4
詐欺罪 Offenses of fraud	1115	2025	-	-	112	108	153	22	15	4	-	-	-	-	6	-	-	466
一般詐欺 Common fraud	926	1454	-	-	110	98	51	13	6	1	-	-	-	-	6	-	-	422
常業詐欺 Occupational fraud	189	571	-	-	2	10	102	9	9	3	-	-	-	-	-	-	-	44
背信罪 Offenses of breach of trust	179	491	-	-	12	5	5	3	-	1	-	-	-	-	-	-	-	164
重利罪 Offenses of usury	82	172	-	-	31	11	2	1	-	-	-	-	-	-	1	-	-	28
恐嚇取財罪 Offenses of obtaining property by threats	282	426	-	-	16	56	35	17	6	2	-	-	-	-	-	-	-	47
擄人勒贖罪 Offenses of kidnapping for ransom	46	105	1	1	-	-	-	-	3	2	8	6	-	-	-	-	-	4
贓物罪 Offenses relating to illegally obtained property	176	374	-	-	31	17	4	-	-	-	-	-	-	-	5	-	-	82
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	118	170	-	-	11	9	2	-	-	-	-	-	-	-	13	-	-	36
妨害電腦使用罪 Offenses of impairment to use of computers	4	4	-	-	-	-	-	-	-	-	-	-	-	-	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. 12)

2004

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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years					
2	28	-	-	-	2	4	-	-	-	-	-	-	-	-	4	1	-	10
-	-	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-	-	-
18	20	2	-	-	19	65	50	16	14	2	-	-	-	-	2	-	-	4
11	18	1	-	-	16	14	6	2	-	-	-	-	-	-	2	-	-	3
7	2	1	-	-	3	50	35	4	1	-	-	-	-	-	-	-	-	1
-	-	-	-	-	-	1	9	10	13	2	-	-	-	-	-	-	-	-
1	1	-	23	21	-	-	-	3	17	18	126	27	1	-	-	-	-	3
-	-	-	-	-	1	5	14	4	4	1	-	-	-	-	-	-	-	-
1	20	2	-	-	10	36	5	2	1	1	-	-	-	-	-	1	-	3
1	16	2	-	-	2	4	-	-	-	-	-	-	-	-	-	-	-	2
-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-
-	4	-	-	-	8	30	5	2	1	1	-	-	-	-	-	-	-	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
8	50	4	-	-	29	30	87	41	25	5	1	-	-	-	2	-	-	1
7	50	4	-	-	27	23	20	6	1	-	-	-	-	-	2	-	-	1
1	-	-	-	-	2	7	67	35	24	5	1	-	-	-	-	-	-	-
8	7	-	-	-	7	18	12	9	2	-	-	-	-	-	-	-	-	3
-	-	-	-	-	3	6	3	-	-	-	-	-	-	-	-	-	-	-
1	9	-	-	-	9	20	14	4	4	2	-	-	-	-	-	-	-	-
-	2	-	3	3	-	-	1	1	4	1	10	8	-	-	-	-	-	-
1	-	2	-	-	5	3	3	1	-	-	-	-	-	-	-	-	-	1
3	8	-	-	-	5	1	1	-	-	-	-	-	-	-	9	-	-	-
-	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(續十三)

中華民國九十三年

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 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年 Over 15 years						
妨害名譽及信用罪 Offenses against personal reputation & credits	-	-	-	-	-	-	-	-	-	-	-	3	3	-	7
妨害秘密罪 Offenses relating to protection of secrets	-	-	1	2	-	-	-	-	-	-	-	-	-	-	2
竊盜罪 Offenses of larceny	-	54	48	42	16	26	2	1	-	-	9	2	-	-	33
普通竊盜竊占 Common theft and theft of movables or immovables	-	25	14	6	2	-	-	-	-	-	9	2	-	-	19
加重竊盜 Severe theft	-	29	26	23	8	3	-	1	-	-	-	-	-	-	14
常業竊盜 Occupational theft	-	-	8	13	6	23	2	-	-	-	-	-	-	-	-
強盜罪 Offenses of robbery	11	1	-	8	14	31	25	101	16	3	-	-	-	-	20
搶奪及海盜罪 Offenses of snatch of property and piracy	-	2	12	13	2	11	-	-	-	-	-	-	-	-	8
侵占罪 Offenses of misappropriation	-	43	38	35	7	5	1	-	-	-	3	3	-	-	36
普通侵占 Common embezzlement	-	12	4	2	1	1	-	-	-	-	3	-	-	-	12
公務公益侵占 Official embezzlement	-	-	2	5	-	-	-	-	-	-	-	-	-	-	-
業務侵占 Occupational embezzlement	-	31	32	28	6	4	1	-	-	-	-	-	-	-	24
侵占遺失物 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-	-	-	3	-	-	-
詐欺罪 Offenses of fraud	-	95	77	137	32	27	6	-	-	-	1	1	-	-	106
一般詐欺 Common fraud	-	94	60	42	14	3	-	-	-	-	1	1	-	-	86
常業詐欺 Occupational fraud	-	1	17	95	18	24	6	-	-	-	-	-	-	-	20
背信罪 Offenses of breach of trust	-	30	14	19	7	10	1	-	-	-	1	-	-	-	42
重利罪 Offenses of usury	-	28	21	7	1	2	-	-	-	-	-	-	-	-	11
恐嚇取財罪 Offenses of obtaining property by threats	-	17	29	15	9	6	-	-	-	-	-	-	-	-	7
擄人勒贖罪 Offenses of kidnapping for ransom	1	-	-	-	-	1	5	14	2	2	-	-	-	-	-
贓物罪 Offenses relating to illegally obtained property	-	19	7	13	3	1	-	-	-	-	-	-	-	1	13
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	-	11	2	3	-	-	-	-	-	-	1	1	-	-	10
妨害電腦使用罪 Offenses of impairment to use of computers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

### 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)

2004

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 Death Sentence	無期 Life Sentence	有刑徒刑 timed imprisonments									拘役 Detention	罰金 Punitive fine	免除 Penalty released						
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年									
-	-	7	-	1	-	-	-	-	-	-	10	2	-	-	3	-	7	16	-
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	48	88	105	33	15	2	1	-	-	7	11	-	18	11	2	13	368	3
-	-	33	29	18	3	-	-	-	-	-	7	11	-	12	5	-	10	103	1
-	-	14	59	84	25	4	-	-	-	-	-	-	-	5	5	-	2	238	1
-	-	1	-	3	5	11	2	1	-	-	-	-	-	1	1	2	1	27	1
6	1	-	3	1	4	19	16	38	11	3	-	-	-	1	2	-	2	142	-
-	-	-	8	17	5	8	-	-	-	-	-	-	-	-	3	1	1	97	1
-	-	20	16	12	5	2	-	1	-	-	-	2	-	3	6	-	12	30	3
-	-	10	4	2	2	-	-	-	-	-	-	-	-	-	4	-	9	10	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	10	12	10	3	2	-	1	-	-	-	-	-	3	2	-	3	20	2
-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-	-
-	-	86	42	42	10	24	1	-	-	-	12	1	-	6	20	-	14	103	13
-	-	84	34	28	6	5	-	-	-	-	12	1	-	5	19	-	13	85	13
-	-	2	8	14	4	19	1	-	-	-	-	-	-	1	1	-	1	18	-
-	-	46	16	11	2	1	-	-	-	-	2	-	-	-	8	-	16	9	-
-	-	5	3	-	-	-	-	-	-	-	-	-	-	-	1	-	-	6	1
-	-	12	18	13	2	4	3	-	-	-	-	-	-	1	2	-	1	44	1
-	4	-	-	-	-	-	3	5	1	-	-	-	-	-	1	-	-	7	1
-	-	10	5	6	-	1	-	-	-	-	6	2	-	-	-	-	4	23	105
-	-	10	5	-	-	-	-	-	-	-	12	3	-	-	2	-	4	8	-
-	-	-	-	-	-	-	-	-	-	-	-	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)

中華民國九十三年

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
妨害名譽及信用罪 Offenses against personal reputation & credits	-	-	-	-	-	-	-	-	1	1	21
妨害秘密罪 Offenses relating to protection of secrets	-	-	-	-	-	-	-	-	1	1	-
竊盜罪 Offenses of larceny	158	-	1	-	143	-	12	2	22	36	11
普通竊盜竊占 Common theft and theft of movables or immovables	12	-	-	-	10	-	2	-	13	4	11
加重竊盜 Severe theft	55	-	1	-	42	-	10	2	9	25	-
常業竊盜 Occupational theft	91	-	-	-	91	-	-	-	-	7	-
強盜罪 Offenses of robbery	51	-	5	-	13	12	21	-	-	22	-
搶奪及海盜罪 Offenses of snatch of property and piracy	19	-	-	-	14	-	4	1	-	8	-
侵占罪 Offenses of misappropriation	6	-	-	-	-	-	6	-	12	79	2
普通侵占 Common embezzlement	-	-	-	-	-	-	-	-	5	4	2
公務公益侵占 Official embezzlement	-	-	-	-	-	-	-	-	-	3	-
業務侵占 Occupational embezzlement	6	-	-	-	-	-	6	-	7	72	-
侵占遺失物 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-	-	-
詐欺罪 Offenses of fraud	29	-	-	-	22	-	6	1	32	190	4
一般詐欺 Common fraud	8	-	-	-	4	-	4	-	28	69	4
常業詐欺 Occupational fraud	21	-	-	-	18	-	2	1	4	121	-
背信罪 Offenses of breach of trust	-	-	-	-	-	-	-	-	41	22	1
重利罪 Offenses of usury	-	-	-	-	-	-	-	-	6	5	-
恐嚇取財罪 Offenses of obtaining property by threats	15	-	-	-	9	-	6	-	9	11	-
擄人勒贖罪 Offenses of kidnapping for ransom	1	-	-	-	1	-	-	-	-	-	-
贓物罪 Offenses relating to illegally obtained property	3	-	-	-	3	-	-	-	2	-	1
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	-	-	-	-	-	-	-	-	2	7	3
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)

2004

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		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	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	21	-	-	-	-	6	2	21	55	-	-
1	1	-	-	-	-	-	-	3	1	1	-	-
22	35	11	-	1	-	1	506	564	247	35	-	-
13	3	11	-	1	-	1	49	149	164	35	-	-
9	25	-	-	-	-	-	381	353	83	-	-	-
-	7	-	-	-	-	-	76	62	-	-	-	-
-	1	-	-	21	-	118	374	247	1	-	-	-
-	8	-	-	-	-	-	55	69	5	-	-	-
12	79	2	-	-	-	2	54	56	103	9	3	-
5	4	2	-	-	-	-	3	22	45	9	-	-
-	3	-	-	-	-	-	1	-	-	-	-	-
7	72	-	-	-	-	2	50	34	58	-	3	-
-	-	-	-	-	-	-	-	-	-	-	-	-
32	190	4	-	-	-	-	138	141	314	22	5	-
28	69	4	-	-	-	-	31	90	313	22	5	-
4	121	-	-	-	-	-	107	51	1	-	-	-
41	22	1	-	-	-	1	1	6	95	3	-	-
6	5	-	-	-	-	-	40	12	67	1	-	-
9	11	-	-	-	-	-	94	94	54	-	-	-
-	-	-	-	-	-	29	28	19	-	-	-	-
2	-	1	-	-	-	-	15	38	65	17	-	-
2	7	3	-	-	-	-	8	10	39	36	-	-
-	-	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(續十五)

中華民國九十三年

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 Total	上訴駁回 Appeals dismissed										拘役 Deten- tion	罰金 Punitive fine			
			科刑 Individuals Sentenced														
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 timed imprisonments										逾十五年 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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years										
<b>特別刑事法計</b> Sub-total of special criminal law	<b>6 300</b>	<b>9 591</b>	-	<b>34</b>	<b>236</b>	<b>686</b>	<b>333</b>	<b>54</b>	<b>48</b>	<b>128</b>	<b>94</b>	<b>52</b>	<b>2</b>	<b>48</b>	<b>33</b>	<b>4</b>	<b>1 499</b>
貪污治罪條例 Punishment of corruption act	497	1 361	-	-	-	3	15	10	2	16	9	11	-	-	-	-	418
懲治盜匪條例 Punishment of thieves and bandits act	14	26	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17
妨害兵役治罪條例 Punishment of offenses against military service act	41	41	-	-	3	1	-	-	-	-	-	-	-	-	-	-	16
違反電信法 Violation of the telecommunications act	18	22	-	-	4	2	-	-	-	-	-	-	-	2	-	-	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	74	158	-	-	4	10	4	-	-	-	-	-	-	-	-	-	23
違反森林法 Violation of the forestry law	24	38	-	-	-	4	-	-	-	-	-	-	-	-	-	-	4
違反漁業法 Violation of the fishery law	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	3 174	3 605	-	34	42	486	92	6	11	15	71	41	2	3	-	4	142
製造運輸販賣 Manufacture, transport, or sale	1 004	1 402	-	34	-	-	1	2	11	14	70	41	2	-	-	-	117
施用 Use	1 960	1 967	-	-	31	467	70	1	-	-	-	-	-	-	-	4	6
其他 Other	210	236	-	-	11	19	21	3	-	1	1	-	-	3	-	-	19
陸海空軍刑法 Criminal law of the armed forces	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	21	50	-	-	3	1	-	-	-	-	-	-	-	-	-	-	13
違反電業法 Violation of the electricity management law	6	8	-	-	1	-	-	-	-	-	-	-	-	-	-	-	1
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	2	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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	34	36	-	-	6	2	-	-	-	-	-	-	-	5	-	-	11
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	5	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
違反勞工安全衛生法 Violation of the labor safety and health law	11	25	-	-	-	-	-	-	-	-	-	-	-	2	5	-	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. 15)

2004

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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years					
22	272	14	10	134	188	301	215	42	95	172	156	86	1	11	12	3	26	
-	12	-	-	1	-	6	40	21	24	41	23	28	-	-	-	1	6	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	9	30	6	2	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	4	1	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
3	138	6	6	129	18	171	32	1	24	23	113	50	1	-	-	1	-	
-	40	1	6	129	-	-	-	1	23	23	113	50	1	-	-	-	-	
3	97	5	-	-	10	152	22	-	-	-	-	-	-	-	-	1	-	
-	1	-	-	-	8	19	10	-	1	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	5	3	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	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(續十六)

中華民國九十三年

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 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年 Over 15 years					
<b>特別刑事法計</b> Sub-total of special criminal law	<b>8</b>	<b>211</b>	<b>216</b>	<b>295</b>	<b>97</b>	<b>174</b>	<b>153</b>	<b>228</b>	<b>160</b>	-	<b>11</b>	<b>11</b>	<b>7</b>	<b>594</b>
貪污治罪條例 Punishment of corruption act	-	1	9	53	34	64	60	33	26	-	-	-	-	201
懲治盜匪條例 Punishment of thieves and bandits act	-	-	-	-	-	-	-	-	-	-	-	-	-	8
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	-	4	1	1	-	-	-	-	-	-	-	1	-	-
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	-	4	12	8	1	-	-	-	-	-	-	-	-	22
違反森林法 Violation of the forestry law	-	2	4	3	-	-	-	-	-	-	-	-	-	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	4	30	44	32	13	60	30	184	130	-	-	-	4	63
製造運輸販賣 Manufacture, transport, or sale	4	-	-	4	4	56	30	184	130	-	-	-	-	58
施用 Use	-	22	28	8	-	-	-	-	-	-	-	-	4	1
其他 Other	-	8	16	20	9	4	-	-	-	-	-	-	-	4
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	-	-	3	3	-	-	-	-	-	-	-	-	-	3
違反電業法 Violation of the electricity management law	-	1	2	-	-	1	-	-	-	-	-	1	-	-
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反能源管理法 Violation of the energy management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反動產擔保交易法 Violation of the personal property secured transactions act	-	1	-	-	-	-	-	-	-	-	-	1	-	1
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	-	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. 16)

2004

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 Death Sentence	無期 Life Sentence	有刑徒刑 timed imprisonments									拘役 Detention	罰金 Punitive fine	免除 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 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年									
-	19	197	376	176	30	60	101	88	41	1	23	19	-	39	81	2	100	1019	43
-	-	-	2	11	16	22	45	16	10	1	-	-	-	7	15	-	12	10	26
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
-	-	6	-	-	-	-	-	-	-	-	3	3	-	-	-	-	3	1	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	5	6	1	1	1	-	-	-	-	-	-	-	-	1	-	2	5	1
-	-	6	2	-	1	-	-	-	-	-	-	-	-	-	1	-	2	1	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	19	12	304	94	2	18	15	63	30	-	-	-	-	12	22	-	45	707	3
-	19	-	-	3	1	17	15	63	30	-	-	-	-	8	5	-	3	86	3
-	-	7	296	86	-	-	-	-	-	-	-	-	-	2	17	-	39	588	-
-	-	5	8	5	1	1	-	-	-	-	-	-	-	2	-	-	3	33	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
-	-	4	3	-	-	-	-	-	-	-	-	-	-	4	-	-	2	3	-
-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	1	1	-	-	-	-	-	-	-	3	1	-	-	-	-	-	2	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	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)

中華民國九十三年

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
<b>特別刑事法計</b> Sub-total of special criminal law	121	-	3	-	69	1	33	15	188	371	28
貪污治罪條例 Punishment of corruption act	2	-	-	-	-	-	2	-	1	51	-
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	-	-	-	-	-	-	-	-	5	-	-
違反電信法 Violation of the telecommunications act	-	-	-	-	-	-	-	-	1	-	1
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	2	-	-	-	-	-	2	-	4	12	-
違反森林法 Violation of the forestry law	1	-	-	-	-	-	1	-	-	8	-
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	23	-	1	-	-	-	10	12	1	21	-
製造運輸販賣 Manufacture, transport, or sale	15	-	-	-	-	-	3	12	-	9	-
施用 Use	7	-	1	-	-	-	6	-	1	8	-
其他 Other	1	-	-	-	-	-	1	-	-	4	-
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	-	-	-	-	-	-	-	-	-	1	-
違反電業法 Violation of the electricity management law	-	-	-	-	-	-	-	-	-	1	-
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	-	-	-	-	-	-	-	-	-	-	-
違反能源管理法 Violation of the energy management law	-	-	-	-	-	-	-	-	-	-	-
違反動產擔保交易法 Violation of the personal property secured transactions act	-	-	-	-	-	-	-	-	3	-	2
違反商業登記法 Violation of the commercial registration law	-	-	-	-	-	-	-	-	-	-	-
違反勞動基準法 Violation of the labor standards law	-	-	-	-	-	-	-	-	-	-	-
違反勞工安全衛生法 Violation of the labor safety and health law	-	-	-	-	-	-	-	-	-	-	1

### 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)

2004

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		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	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							
188	368	28	-	3	-	1 375	3 070	1 609	765	94	42	-
1	51	-	-	-	-	654	133	17	-	-	30	-
-	-	-	-	-	-	-	-	-	-	-	-	-
5	-	-	-	-	-	1	-	3	10	3	-	-
1	-	1	-	-	-	-	7	4	9	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
4	12	-	-	-	-	1	28	22	5	-	1	-
-	8	-	-	-	-	-	12	2	8	-	-	-
-	-	-	-	-	-	-	1	1	-	-	-	-
1	18	-	-	3	-	450	1 829	1 135	103	3	-	-
-	6	-	-	3	-	449	789	305	-	-	-	-
1	8	-	-	-	-	-	909	759	71	-	-	-
-	4	-	-	-	-	1	131	71	32	3	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	-	-	1	-	12	-	-	-
-	1	-	-	-	-	-	-	3	2	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
3	-	2	-	-	-	-	1	5	8	10	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	1	-	-	-	-	-	-	-	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(續十八)

中華民國九十三年

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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years			逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years								
違反各種稅法 Violation of various taxation laws	44	72	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	25
違反菸酒管理法 Violation of tobacco and alcohol management law	18	25	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	7
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	42	64	-	-	-	-	-	1	-	11	-	-	-	-	-	-	-	7
違反醫師法 Violation of the physicians law	16	22	-	-	1	2	4	-	-	-	-	-	-	-	-	-	-	7
違反藥事法 Violation of the pharmaceutical affairs act	44	62	-	-	3	4	2	2	-	-	-	-	-	-	-	1	-	6
偽藥 Counterfeit medicine	42	58	-	-	3	3	2	2	-	-	-	-	-	-	-	-	-	6
其他 Other	2	4	-	-	-	1	-	-	-	-	-	-	-	-	-	1	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	51	62	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4
違反著作權法 Violation of the copyright law	300	488	-	-	7	6	14	1	-	-	-	-	-	1	2	-	-	115
違法重製罪 Offense of unlawful reproduction	91	165	-	-	4	1	1	-	-	-	-	-	-	-	2	-	-	64
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	38	65	-	-	-	2	-	-	-	-	-	-	-	1	-	-	-	9
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	19	33	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	18
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	32	46	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	6
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	118	174	-	-	-	-	13	1	-	-	-	-	-	-	-	-	-	18
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	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	1	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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	10	11	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	5
違反公平交易法 Violation of the fair trade act	7	28	-	-	2	1	-	-	-	-	-	-	-	-	3	-	-	11
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	50	88	-	-	1	3	1	-	-	-	-	-	-	-	1	-	-	26
違反野生動物保育法 Violation of the wildlife conservation law	18	23	-	-	3	-	2	-	-	-	-	-	-	-	-	-	-	5
違反水污染防治法 Violation of the water pollution control law	2	6	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	3
違反兩岸關係條例 Violation of the cross-strait relations act	53	89	-	-	15	4	1	-	-	-	-	-	-	1	-	-	-	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 (Cont. 18)

2004

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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years					
2	-	-	-	-	7	-	1	-	-	-	-	-	-	-	-	-	-	
2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	1	2	13	2	1	-	-	-	-	-	
-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	
1	-	-	-	-	1	2	3	1	-	-	-	-	-	-	-	-	-	
1	-	-	-	-	1	2	3	1	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	12	-	1	-	-	-	-	-	
1	20	-	-	-	12	6	33	-	1	-	-	-	-	1	5	-	3	
1	10	-	-	-	3	1	-	-	-	-	-	-	-	-	3	-	3	
-	5	-	-	-	5	-	-	-	-	-	-	-	-	-	1	-	-	
-	1	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	
-	2	-	-	-	4	4	-	-	-	-	-	-	-	-	-	-	-	
-	2	-	-	-	-	1	33	-	1	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	1	17	-	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	3	1	2	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1	-	-	-	-	12	6	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(續十九)

中華民國九十三年

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 or less than 1 year	逾一年至二年 Over 1 year to 2 years	逾二年至三年 Over 2 years to 3 or less than 3 years	逾三年至五年 Over 3 years to 5 or less than 5 years	逾五年至七年 Over 5 years to 7 or less than 7 years	逾七年至十年 Over 7 years to 10 or less than 10 years	逾十年至十五年 Over 10 years to 15 or less than 15 years	逾十五年 Over 15 years						
違反各種稅法 Violation of various taxation laws	-	13	3	2	-	-	-	-	-	-	-	1	-	-	5
違反菸酒管理法 Violation of tobacco and alcohol management law	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	-	-	-	1	2	4	6	2	-	-	-	-	-	-	3
違反醫師法 Violation of the physicians law	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-
違反藥事法 Violation of the pharmaceutical affairs act	-	4	5	1	-	-	-	-	-	-	-	-	-	-	5
偽藥 Counterfeit medicine	-	4	5	1	-	-	-	-	-	-	-	-	-	-	5
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	1	1	2	3	3	10	-	-	-	-	-	-	-	17
違反著作權法 Violation of the copyright law	-	25	19	39	2	1	-	-	-	-	3	4	-	-	29
違法重製罪 Offence of unlawful reproduction	-	8	7	-	-	-	-	-	-	-	-	2	-	-	16
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	-	10	3	-	-	-	-	-	-	-	1	1	-	-	3
公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting	-	-	-	-	-	-	-	-	-	-	2	-	-	-	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	-	5	-	-	-	-	-	-	-	-	-	-	-	-	5
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	-	2	9	39	2	1	-	-	-	-	-	1	-	-	3
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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	-	6	8	4	-	-	-	-	-	-	-	-	-	-	7
違反野生動物保育法 Violation of the wildlife conservation law	-	-	1	-	-	-	-	-	-	-	-	-	-	-	2
違反水污染防治法 Violation of the water pollution control law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反兩岸關係條例 Violation of the cross-strait relations act	-	9	4	-	-	-	-	-	-	-	-	-	-	-	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. 19)

2004

Unit: individual

Defendants																			
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty																			
科刑 Individuals Sentenced																			
死刑 Death Sentence	無期 徒刑 Life Sentence	有刑徒刑 timed imprisonments									拘役 Deten- tion	罰金 Punitive fine	免除 其刑 Penalty released	撤銷改 判免訴 Revoca- tion of previous judgment by new judgment but of exemp- tion from prosecu- tion	撤銷改 判不受 理 Revoca- tion of previous judgment by new judgment but of non- entertai- ment	撤銷改 判管轄 錯誤 Revocac- ion of previous judgment by new judgment but of wrong jurisdic- tion	撤銷改 判發回 原審法 院 Revoca- tion of previous judgment and returned back to original court	撤回 With- drawn	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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years									
-	-	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-	2	4	-
-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-	2	8	-
-	-	-	-	-	-	-	-	4	-	-	-	-	-	-	-	-	-	4	-
-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	-
-	-	8	4	2	-	-	-	-	-	-	-	2	-	1	1	-	-	3	-
-	-	6	4	2	-	-	-	-	-	-	-	2	-	1	1	-	-	3	-
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	-	7	-	-	-	-	-	-	-	-	-	-	-	-
-	-	15	5	24	2	1	-	-	-	-	2	5	-	1	25	-	20	32	6
-	-	5	1	-	-	-	-	-	-	-	-	3	-	-	11	-	7	12	-
-	-	7	-	2	-	-	-	-	-	-	-	2	-	-	8	-	2	3	-
-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	2	-	-	1	-
-	-	3	2	-	-	-	-	-	-	-	-	-	-	1	-	-	5	6	-
-	-	-	2	22	2	1	-	-	-	-	-	-	-	-	4	-	1	10	6
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	5	-	-	-	-	-	-	3	-
-	-	6	4	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	3	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	8	2	-	1	1	-	-	-	-	1	-	-	-	-	-	-	5	-



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)

中華民國九十三年

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	-	-	-	-	-	-	-	-	3	1	-
違反菸酒管理法 Violation of tobacco and alcohol management law	-	-	-	-	-	-	-	-	2	-	-
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	-	-	-	-	-	-	-	-	-	3	-
違反藥事法 Violation of the pharmaceutical affairs act	-	-	-	-	-	-	-	-	3	4	-
偽藥 Counterfeit medicine	-	-	-	-	-	-	-	-	2	4	-
其他 Other	-	-	-	-	-	-	-	-	1	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	-	-	-	-	-	-	-	-	1	-
違反著作權法 Violation of the copyright law	3	-	-	-	2	-	1	-	15	36	-
違法重製罪 Offence of unlawful reproduction	-	-	-	-	-	-	-	-	4	3	-
移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession	-	-	-	-	-	-	-	-	8	-	-
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	-	-	-	-	-	-	-	-	1	-	-
侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad	-	-	-	-	-	-	-	-	2	2	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	3	-	-	-	2	-	1	-	-	31	-
違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection	-	-	-	-	-	-	-	-	-	-	-
違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	-	-	-	-	-	-	-	-	-	-	-
虛偽記載登記罪 Offense of false entry or registration	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-
違反建築法 Violation of the building law	-	-	-	-	-	-	-	-	1	-	-
違反公平交易法 Violation of the fair trade act	-	-	-	-	-	-	-	-	1	1	-
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	1	-	-	-	-	-	1	-	4	12	-
違反野生動物保育法 Violation of the wildlife conservation law	1	-	-	-	-	-	1	-	3	3	-
違反水污染防治法 Violation of the water pollution control law	-	-	-	-	-	-	-	-	3	-	-
違反兩岸關係條例 Violation of the cross-strait relations act	-	-	-	-	-	-	-	-	8	-	-

### 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)

2004

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		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	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	-	-	-	-	-	5	5	22	1	2	-
2	-	-	-	-	-	-	4	-	4	1	-	-
-	-	-	-	-	-	1	34	15	-	-	-	-
-	3	-	-	-	-	-	5	1	1	-	-	-
3	4	-	-	-	-	-	22	7	9	-	-	-
2	4	-	-	-	-	-	21	6	7	-	-	-
1	-	-	-	-	-	-	1	1	2	-	-	-
-	1	-	-	-	-	-	20	14	1	-	-	-
15	36	-	-	-	-	-	145	32	58	6	-	-
4	3	-	-	-	-	-	20	4	20	-	-	-
8	-	-	-	-	-	-	16	3	23	1	-	-
1	-	-	-	-	-	-	2	-	3	5	-	-
2	2	-	-	-	-	-	15	3	12	-	-	-
-	31	-	-	-	-	-	92	22	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	-	-	-	2	1	-	-
1	1	-	-	-	-	-	-	-	2	5	-	-
4	12	-	-	-	-	-	20	8	14	-	1	-
3	3	-	-	-	-	-	9	2	6	-	-	-
3	-	-	-	-	-	-	-	-	3	-	-	-
8	-	-	-	-	-	-	9	16	45	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(續二一)

中華民國九十三年

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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years			逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years								
違反公司法 Violation of the company law	33	83	-	-	12	-	1	-	-	-	-	-	-	-	5	-	-	14
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	91	138	-	-	9	2	-	-	-	-	-	-	-	-	12	-	-	51
侵害他人商標罪 Offense of trademark infringement	41	61	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	26
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	50	77	-	-	6	2	-	-	-	-	-	-	-	-	12	-	-	25
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	720	905	-	-	3	59	128	21	16	74	14	-	-	-	-	-	-	62
國家安全法 National security law	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
集會遊行法 Mass gathering and demonstration act	2	16	-	-	5	-	-	-	-	-	-	-	-	-	1	-	-	-
違反銀行法 Violation of the banking law	26	62	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	4
違反選舉罷免法 Violation of the election and recall law	184	410	-	-	40	14	3	-	-	-	-	-	-	-	-	-	-	98
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	125	231	-	-	4	1	2	3	12	12	-	-	-	-	-	-	-	20
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	538	1318	-	-	61	78	66	8	6	-	-	-	-	-	16	20	-	357

### 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)

2004

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 or less than 1 year	逾一年 至二年 以下 Over 1 year to 2 or less than 2 years	逾二年 至三年 以下 Over 2 years to 3 or less than 3 years	逾三年 至五年 以下 Over 3 years to 5 or less than 5 years	逾五年 至七年 以下 Over 5 years to 7 or less than 7 years	逾七年 至十年 以下 Over 7 years to 10 or less than 10 years	逾十年 至十五 年以下 Over 10 years to 15 or less than 15 years	逾十五 年 Over 15 years					
-	6	-	-	-	19	-	-	-	-	-	-	-	-	-	1	-	-	5
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	1	-	-	-	12	4	-	-	-	-	-	-	-	-	-	-	-	3
-	-	-	-	-	6	1	-	-	-	-	-	-	-	-	-	-	-	3
1	1	-	-	-	6	3	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	1	4	4	3	12	41	6	9	67	13	3	-	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	3	-	-	-	-	-	-	-	-	-	5	-	-	-
1	1	-	-	-	-	3	3	-	15	2	2	-	-	-	-	-	-	-
-	1	-	-	-	43	10	5	2	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	1	1	3	4	11	12	3	3	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	93	7	-	-	36	24	41	4	9	2	-	-	-	2	4	1	8	

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)

中華民國九十三年

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 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年 Over 15 years						
違反公司法 Violation of the company law	-	2	-	1	-	-	-	-	-	-	-	3	-	-	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	-	8	3	2	-	-	-	-	-	-	-	3	-	-	8
侵害他人商標罪 Offense of trademark infringement	-	2	3	2	-	-	-	-	-	-	-	2	-	-	5
販賣陳列輸出仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	-	6	-	-	-	-	-	-	-	-	-	1	-	-	3
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	4	2	12	48	26	12	32	5	1	-	-	-	-	-	31
國家安全法 National security law	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反銀行法 Violation of the banking law	-	-	1	9	-	2	-	-	-	-	-	-	-	-	10
違反選舉罷免法 Violation of the election and recall law	-	50	27	14	2	-	-	-	-	-	-	-	-	1	61
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	-	8	6	16	9	22	15	3	3	-	-	-	-	-	7
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	37	50	55	5	5	-	1	-	-	1	2	2	2	96

### 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)

2004

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 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	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 or less than 1 year	逾一年至二年以下 Over 1 year to 2 or less than 2 years	逾二年至三年以下 Over 2 years to 3 or less than 3 years	逾三年至五年以下 Over 3 years to 5 or less than 5 years	逾五年至七年以下 Over 5 years to 7 or less than 7 years	逾七年至十年以下 Over 7 years to 10 or less than 10 years	逾十年至十五年以下 Over 10 years to 15 or less than 15 years	逾十五年	逾十五年									
-	-	3	-	1	-	-	-	-	-	-	-	3	-	-	1	-	-	2	3	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	5	2	-	-	-	-	-	-	-	-	-	-	-	-	1	-	2	9	-
-	-	4	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	2	-
-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	7	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	1	7	14	2	2	18	2	-	-	-	-	-	3	3	-	2	134	2	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-
-	-	-	-	-	-	-	-	3	2	-	-	-	-	-	-	1	-	-	1	1
-	-	29	2	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	6	1
-	-	13	3	-	3	5	13	1	1	-	-	-	-	-	3	-	-	8	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	70	25	28	1	10	-	-	-	-	-	4	6	-	8	7	-	4	53	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)

中華民國九十三年

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	-	-	-	-	-	-	-	-	19	-	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	-	-	-	-	-	-	-	-	7	-	14
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	2	-	2
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	-	-	-	-	-	-	-	-	5	-	12
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	21	-	2	-	13	-	3	3	1	62	-
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	3	-	1
違反銀行法 Violation of the banking law	-	-	-	-	-	-	-	-	-	7	-
違反選舉罷免法 Violation of the election and recall law	-	-	-	-	-	-	-	-	26	13	-
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	-	-	-	-	1	1	-	-	8	-
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-
其他 Other	65	-	-	-	54	-	11	-	74	126	8

**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)**

2004

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 confiscation cases		六月以下有期徒刑 Timed imprisonments of 6 or less than 6 months	拘役 Detention	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 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	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							
19	-	1	-	-	-	-	-	1	36	13	5	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
7	-	14	-	-	-	-	36	6	34	15	-	-
2	-	2	-	-	-	-	14	3	15	2	-	-
5	-	12	-	-	-	-	22	3	19	13	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
1	62	-	-	-	-	26	509	192	8	1	1	-
-	-	-	-	-	-	-	-	-	1	-	1	-
3	-	1	-	-	-	-	-	2	8	6	-	-
-	7	-	-	-	-	-	7	2	-	-	-	-
26	13	-	-	-	-	241	71	8	161	-	-	-
-	8	-	-	-	-	-	64	27	25	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
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