90.地方法院提審案件終結情形－按逮捕拘禁原因分

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

中華民國 109 年 2020

單位：件
Unit: case

逮捕拘禁原因別 Grounds of Arrest or Detention	終結情形 State of closed cases						駁回原因 Causes of Dismissed									逮捕拘禁原因別 Grounds of Arrest or Detention
	合計 Total	不應逮捕、拘禁應即釋放 Shall not be arrested or detained and shall be released	駁回 Dismissed	部分釋放部分駁回 Partially Released and Partially Denied	撤回 Withdrawn	其他 Other	合計 Total	經法院逮捕、拘禁(提 5.1.1) The arrest or detention was made in accordance with a court decision	依其他法律規定得聲請即時由法院審查 (提 5.1.2) In accordance with other provisions in the statutory law a person under arrest or detention may petition for a prompt court review	被逮捕、拘禁人已回復自由(提 5.1.3) The person previously under arrest or detention has been released	被逮捕、拘禁人已死亡 (提 5.1.4) The person previously under arrest or detention has died	經法院裁判而剝奪人身自由 (提 5.1.5) The alleged deprivation of physical freedom was imposed in accordance with a court decision	無逮捕、拘禁之事實 (提 5.1.6) There has been proved to be no such arrest or detention as alleged	法院審查後應予逮捕、拘禁(提 9.1) Upon determining the arrest or detention to be devoid of a legal basis at the conclusion of the review, the court shall order the arrest or detention	其他 Other	
總計 Total	**629**	**37**	**340**	**2**	**249**	**1**	**342**	**1**	**7**	**35**	**-**	**66**	**13**	**219**	**1**	**總計 Total**
民事計 Subtotal of civil Cases	1	-	1	-	-	-	1	1	-	-	-	-	-	-	-	民事計 Subtotal of civil Cases
民事訴訟法 Code of Civil Procedure	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	民事訴訟法 Code of Civil Procedure
非訟事件法 Non-Contentious Matters Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	非訟事件法 Non-Contentious Matters Act
強制執行法 Compulsory Enforcement Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	強制執行法 Compulsory Enforcement Act
破產法 Bankruptcy Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	破產法 Bankruptcy Act
消費者債務清理條例 Statute for Consumer Debt Clearance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	消費者債務清理條例 Statute for Consumer Debt Clearance
行政執行法 Administrative Execution Act	1	-	1	-	-	-	1	1	-	-	-	-	-	-	-	行政執行法 Administrative Execution Act
無逮捕、拘禁之事實 There has been proved to be no such arrest or detention as alleged	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	無逮捕、拘禁之事實 There has been proved to be no such arrest or detention as alleged
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other
家事計 Subtotal of Family Cases	59	-	52	-	6	1	52	-	4	-	-	11	6	31	-	家事計 Subtotal of Family Cases
家事事件法 Family Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	家事事件法 Family Act
兒童及少年福利與權益保障法 The Protection of Children and Youths Welfare and Rights Act	25	-	23	-	2	-	23	-	3	-	-	10	-	10	-	兒童及少年福利與權益保障法 The Protection of Children and Youths Welfare and Rights Act
兒童及少年性剝削防制條例 Child and Youth Sexual Exploitation Prevention Act	4	-	3	-	1	-	3	-	-	-	-	1	-	2	-	兒童及少年性剝削防制條例 Child and Youth Sexual Exploitation Prevention Act
精神衛生法 Mental Health Act	21	-	20	-	-	1	20	-	1	-	-	-	-	19	-	精神衛生法 Mental Health Act
身心障礙者權益保障法 Physically and Mentally Disabled Citizens Protection Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	身心障礙者權益保障法 Physically and Mentally Disabled Citizens Protection Act
老人福利法 Senior Citizens Welfare Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	老人福利法 Senior Citizens Welfare Act
無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged	6	-	6	-	-	-	6	-	-	-	-	-	6	-	-	無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged
其他 Other	3	-	-	-	3	-	-	-	-	-	-	-	-	-	-	其他 Other

說明：本表不含提審票正本卷宗併送應解交法院件數。
Note: The cases shown in this table exclude “Forwarded the writ of habeas corpus and the dossier to the court” cases.

90.地方法院提審案件終結情形－按逮捕拘禁原因分(續一)

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

中華民國 109 年 2020

單位：件
Unit: case

逮捕拘禁原因別 Grounds of Arrest or Detention	終結情形 State of closed cases						駁回原因 Causes of Dismissed									逮捕拘禁原因別 Grounds of Arrest or Detention
	合計 Total	不應逮捕、拘禁應即釋放 Shall not be Arrested or Detained and Shall be Released	駁回 Dismissed	部分釋放部分駁回 Partially Released and Partially Denied	撤回 Withdrawn	其他 Other	合計 Total	經法院逮捕、拘禁(提 5.1.1) The arrest or detention was made in accordance with a court decision	依其他法律規定得聲請即時由法院審查(提 5.1.2) In accordance with other provisions in the statutory law a person under arrest or detention may petition for a prompt court review	被逮捕、拘禁人已回復自由(提 5.1.3) The person previously under arrest or detention has been released	被逮捕、拘禁人已死亡(提 5.1.4) The person previously under arrest or detention has died	經法院裁判而剝奪人身自由(提 5.1.5) The alleged deprivation of physical freedom was imposed in accordance with a court decision	無逮捕、拘禁之事實(提 5.1.6) There has been proved to be no such arrest or detention as alleged	法院審查後應予逮捕、拘禁(提 9.1) Upon determining the arrest or detention to be devoid of a legal basis at the conclusion of the review, the court shall order the arrest or detention	其他 Other	
刑事計 Subtotal of Criminal Cases	559	35	280	2	242	-	282	-	1	34	-	53	7	186	1	刑事計 Subtotal of Criminal Cases
刑事訴訟法 Code of Criminal Procedure	174	5	125	-	44	-	125	-	-	21	-	31	-	73	-	刑事訴訟法 Code of Criminal Procedure
社會秩序法 Social Order Maintenance Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	社會秩序法 Social Order Maintenance Act
家庭暴力法 Domestic Violence Prevention Act	9	-	4	-	5	-	4	-	-	2	-	-	-	2	-	家庭暴力法 Domestic Violence Prevention Act
性侵害犯罪防制法 Sexual Assault Prevention Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	性侵害犯罪防制法 Sexual Assault Prevention Act
刑法 Criminal Code	4	-	3	-	1	-	3	-	1	-	-	-	-	2	-	刑法 Criminal Code
觀察勒戒處分執行條例 Act of Execution of Rehabilitation Treatment	2	-	1	-	1	-	1	-	-	-	-	1	-	-	-	觀察勒戒處分執行條例 Act of Execution of Rehabilitation Treatment
組織犯罪防制條例 Organized Crime Prevention Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	組織犯罪防制條例 Organized Crime Prevention Act
竊盜犯贓物犯保安處分條例 Rehabilitative Measures for Burglar and Fence Criminals Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	竊盜犯贓物犯保安處分條例 Rehabilitative Measures for Burglar and Fence Criminals Act
無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged	7	-	7	-	-	-	7	-	-	-	-	-	7	-	-	無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged
其他 Other	363	30	140	2	191	-	142	-	-	11	-	21	-	109	1	其他 Other
少年計 Subtotal of Juvenile cases	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	少年計 Subtotal of Juvenile cases
少年事件處理法 Juvenile Proceeding Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	少年事件處理法 Juvenile Proceeding Act
刑事訴訟法 Code of Criminal Procedure	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	刑事訴訟法 Code of Criminal Procedure
觀察勒戒處分執行條例 Act of Execution of Rehabilitation Treatment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	觀察勒戒處分執行條例 Act of Execution of Rehabilitation Treatment
無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged
其他 Other	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other

90.地方法院提審案件終結情形－按逮捕拘禁原因分(續完)

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

中華民國 109 年 2020

單位：件
Unit: case

逮捕拘禁原因別 Grounds of Arrest or Detention	終結情形 State of closed cases						駁回原因 Causes of Dismissed									逮捕拘禁原因別 Grounds of Arrest or Detention
	合計 Total	不應逮捕、拘禁應即釋放 Shall not be Arrested or Detained and Shall be Released	駁回 Dismissed	部分釋放部分駁回 Partially Released and Partially Denied	撤回 Withdrawn	其他 Other	合計 Total	經法院逮捕、拘禁(提 5.1.1) The arrest or detention was made in accordance with a court decision	依其他法律規定得聲請即時由法院審查(提 5.1.2) In accordance with other provisions in the statutory law a person under arrest or detention may petition for a prompt court review	被逮捕、拘禁人已回復自由(提 5.1.3) The person previously under arrest or detention has been released	被逮捕、拘禁人已死亡(提 5.1.4) The person previously under arrest or detention has died	經法院裁判而剝奪人身自由(提 5.1.5) The alleged deprivation of physical freedom was imposed in accordance with a court decision	無逮捕、拘禁之事實(提 5.1.6) There has been proved to be no such arrest or detention as alleged	法院審查後應予逮捕、拘禁(提 9.1) Upon determining the arrest or detention to be devoid of a legal basis at the conclusion of the review, the court shall order the arrest or detention	其他 Other	
行政訴訟計 Subtotal of Administrative litigation cases	9	1	7	-	1	-	7	-	2	1	-	2	-	2	-	行政訴訟計 Subtotal of Administrative litigation cases
行政執行法 Administrative Execution Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	行政執行法 Administrative Execution Act
警察職權行使法 Police Power Exercise Act	1	-	1	-	-	-	1	-	-	1	-	-	-	-	-	警察職權行使法 Police Power Exercise Act
入出國及移民法 Immigration Act	6	1	4	-	1	-	4	-	2	-	-	2	-	-	-	入出國及移民法 Immigration Act
臺灣地區與大陸地區人民關係條例 Act Governing Relations between People of the Taiwan Area and Mainland Area	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	臺灣地區與大陸地區人民關係條例 Act Governing Relations between People of the Taiwan Area and Mainland Area
香港澳門關係條例 Act Governing Relations with Hong Kong and Macau	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	香港澳門關係條例 Act Governing Relations with Hong Kong and Macau
傳染病防治法 Communicable Disease Control Act	2	-	2	-	-	-	2	-	-	-	-	-	-	2	-	傳染病防治法 Communicable Disease Control Act
人口販運防制法 Human Trafficking Prevention Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	人口販運防制法 Human Trafficking Prevention Act
就業服務法 Employment Service Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	就業服務法 Employment Service Act
陸海空軍懲罰法 Armed Forces Punishment Act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	陸海空軍懲罰法 Armed Forces Punishment Act
無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	無逮捕、拘禁之事實 There Has Been Proved to be No Such Arrest or Detention as Alleged
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other