15.最高法院刑事上訴發回或發交更審案件次數及原因—按年別及機關別分

15. Frequencies and Causes of Criminal Appeals Cases Remanded or Assigned for New Trial by Supreme Court – by Year and Organ

單位：件；項次(Unit: case;items)

年別及機關別	裁判件數	發回或發交更審原因 Grounds for remand or assignment for new trial														Year and Organ
		合計 Total		判決不適用法則或適用不當	法院組織不合法	應迴避之法官參與裁判	禁止審判公開非依法律之規定	法院認管轄有無或未論知管轄錯誤係不當	法院受理訴訟或不受理訴訟係不當	被告未於審判期日到庭而逕行審判	強制辯護要件未經到庭辯護而逕行審判	未經檢察官或自訴人到庭陳述即為審判	應停止或更新審判而未經停止或更新	應於審判期日調查之證據未予調查		
		全部	部分													
	Total	All	Part	Judgment that does not apply or improperly applies a law or regulation	Illegal court organization	Disqualified judge participates in adjudication	Illegal ban on trial in open court	Improdecision on jurisdiction or no pronounce-ment of wrong jurisdiction	Improentertain-ment or refusal of case by the court	Judgment made without the presence of defendant in court	Judgment made without defense in mandatory defense cases	Trial without statement by a public or private prosecutor in court	Trial that shall be stayed or renewed but was not done so	Where evidence to be investigated at the trial date is not investigated		
民 國 112 年 10-12 月	1 460	97	41	38	-	-	-	-	1	1	1	-	-	63	Oct.-Dec. 2 0 2 3
民 國 113 年	5 488	320	140	136	-	-	-	1	-	3	1	-	1	258	2024
民 國 114 年	**6 361**	**340**	**162**	**168**	**-**	**2**	**-**	**-**	**1**	**6**	**2**	**1**	**1**	**269**	**2025**
臺 灣 高 等 法 院	3 067	171	86	81	-	1	-	-	1	3	1	-	-	133	Taiwan High Court
臺灣高等法院臺中分院	1 456	69	35	41	-	1	-	-	-	-	-	-	-	59	Taiwan High Court, Taichung Branch Court
臺灣高等法院臺南分院	799	39	19	19	-	-	-	-	-	-	-	1	1	35	Taiwan High Court, Tainan Branch Court
臺灣高等法院高雄分院	892	49	19	19	-	-	-	-	-	3	1	-	-	35	Taiwan High Court, Kaohsiung Branch Court
臺灣高等法院花蓮分院	111	4	1	2	-	-	-	-	-	-	-	-	-	3	Taiwan High Court, Hualien Branch Court
福建高等法院金門分院	19	3	1	2	-	-	-	-	-	-	-	-	-	1	Fujian High Court, Kinmen Branch Court
智慧財產及商業法院	17	5	1	4	-	-	-	-	-	-	-	-	-	3	Intellectual Property and Commercial Court
其 他	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Other

15.最高法院刑事上訴發回或發交更審案件次數及原因—按年別及機關別分(續)

15. Frequencies and Causes of Criminal Appeals Cases Remanded or Assigned for New Trial by Supreme Court – by Year and Organ (Cont.)

單位：件；項次(Unit: case;items)

年別及機關別	發回或發交更審原因 Grounds for remand or assignment for new trial							發回或發交更審次數 Frequency of cases remanded or assigned for new trial									Year and Organ
	未予被告以最後陳述之機會 Failure to avail the defendant with opportunity to present final statement	已受請求事項未予判決 No judgment on a claimed matter	未受請求事項予以判決 Judgment on an unclaimed matter	未經參與審理法官參與判決 Judge not participating in argument participates in judgment	判決不載理由或所載理由矛盾 Where no reasons are specified in the judgment or where ground of reasons specified are contradicting	訴訟程序違背法令顯然影響判決 Where the litigation procedure is in contravention of the laws and regulations and evidently influences the judgment	其他 Other	合計 Total	第一次 First time	第二次 Second time	第三次 Third time	第四次 Forth time	第五次 Fifth time	第六次 Sixth time	第七次 Seventh time	第八次以上 Eighth or more than eighth time	
民 國 112 年 10-12 月	-	4	-	-	91	2	1	138	122	13	3	-	-	-	-	-	Oct.-Dec. 2023
民 國 113 年	1	13	8	1	265	11	2	460	406	35	13	5	1	-	-	-	2024
民 國 114 年	**-**	**18**	**2**	**1**	**245**	**16**	**2**	**502**	**459**	**36**	**5**	**1**	**1**	**-**	**-**	**-**	**2025**
臺 灣 高 等 法 院	-	8	1	1	133	7	-	257	232	19	4	1	1	-	-	-	Taiwan High Court
臺灣高等法院臺中分院	-	1	-	-	46	1	2	104	97	7	-	-	-	-	-	-	Taiwan High Court, Taichung Branch Court
臺灣高等法院臺南分院	-	1	-	-	24	4	-	58	57	1	-	-	-	-	-	-	Taiwan High Court, Tainan Branch Court
臺灣高等法院高雄分院	-	6	1	-	32	2	-	68	58	9	1	-	-	-	-	-	Taiwan High Court, Kaohsiung Branch Court
臺灣高等法院花蓮分院	-	2	-	-	4	-	-	5	5	-	-	-	-	-	-	-	Taiwan High Court, Hualien Branch Court
福建高等法院金門分院	-	-	-	-	3	-	-	4	4	-	-	-	-	-	-	-	Fujian High Court, Kinmen Branch Court
智慧財產及商業法院	-	-	-	-	3	2	-	6	6	-	-	-	-	-	-	-	Intellectual Property and Commercial Court
其 他	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Other