# 14.最高法院刑事上訴案件被告裁判結果－按罪名別分

中華民國 104 年　　單位：人

| 罪名別 Crime type | 合計 Total | 科刑 | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | 計 Subtotal | 死刑 Death sentence | 無期徒刑 Life sentence | 有期徒刑 | | | | |
| | | | | | 小計 Subtotal | 一年以下 1 or less than 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years |
| **合計 Total** | **5 024** | **4 589** | **-** | **36** | **4 528** | **1 361** | **640** | **343** | **927** |
| 普通刑法計 Subtotal of general criminal law | 2 062 | 1 757 | - | 32 | 1 713 | 629 | 302 | 79 | 316 |
| 內亂罪 Offenses against the internal security of the state | - | - | - | - | - | - | - | - | - |
| 外患罪 Offenses against the external security of the state | 10 | 6 | - | 1 | 5 | 2 | 1 | - | - |
| 妨害國交罪 Offenses of interference with relations with other states | - | - | - | - | - | - | - | - | - |
| 瀆職罪 Offenses of malfeasance in office | 47 | 4 | - | - | 4 | 1 | 2 | 1 | - |
| 妨害公務罪 Offenses of interference with public functions | 5 | 5 | - | - | 5 | 5 | - | - | - |
| 妨害投票罪 Offenses of interference with voting | 1 | 1 | - | - | 1 | 1 | - | - | - |
| 妨害秩序罪 Offenses of interference with public order | - | - | - | - | - | - | - | - | - |
| 脫逃罪 Offenses of escape | - | - | - | - | - | - | - | - | - |
| 藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence | 1 | - | - | - | - | - | - | - | - |
| 偽證罪 Offenses of perjury | 29 | 14 | - | - | 14 | 14 | - | - | - |
| 誣告罪 Offenses of malicious accusation | 66 | 42 | - | - | 42 | 39 | 1 | - | 2 |
| 公共危險罪 Offenses against public safety | 170 | 167 | - | - | 166 | 86 | 60 | 1 | 16 |
| 放火 Arson | 16 | 16 | - | - | 16 | - | 7 | - | 7 |
| 燒燬建築物及住宅 Destruction by fire of building and residence | 14 | 14 | - | - | 14 | - | 5 | - | 7 |
| 燒燬其他物件 Destruction by fire of other objects | 2 | 2 | - | - | 2 | - | 2 | - | - |
| 失火 Negligent fire | - | - | - | - | - | - | - | - | - |
| 燒燬建築物及住宅 Destruction by fire of building and residence | - | - | - | - | - | - | - | - | - |
| 燒燬其他物件 Destruction by fire of other objects | - | - | - | - | - | - | - | - | - |
| 違背建築術成規 Violation of building practice | - | - | - | - | - | - | - | - | - |
| 妨害衛生安全 Obstruction to sanitation | - | - | - | - | - | - | - | - | - |
| 漏逸氣體 Gas leak | - | - | - | - | - | - | - | - | - |
| 妨害交通安全 Obstruction to traffic safety | 154 | 151 | - | - | 150 | 86 | 53 | 1 | 9 |
| 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 | 15 | 15 | - | - | 15 | 2 | 5 | - | 7 |
| 肇事致人死傷逃逸 Hit and run | 128 | 125 | - | - | 125 | 78 | 46 | 1 | - |
| 其他 Other | 11 | 11 | - | - | 10 | 6 | 2 | - | 2 |
| 危險物 Hazard materials | - | - | - | - | - | - | - | - | - |
| 爆裂物 Explosives | - | - | - | - | - | - | - | - | - |
| 核能放射線 Nuclear radiation | - | - | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - |

說明：本表僅含宣告不合法、無理由及自為判決之被告資料。

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

2015 Unit: individual

| Type of sentence | | | | | 免刑 | 無罪 | 免訴 | 不受理 | 管轄錯誤 | 其他 | 緩刑 | 保安處分 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Time imprisonments | | | 拘役 | 罰金 | | | | | | | | |
| 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年 Over 10 years | Detention | Punitive fine | Penalty released | Acquitted | Not prosecu-table | Case declined | Mistake in Jurisdictio-n | Other | Suspensi-on of punishme-nt | Re-habilitative measures |
| **301** | **641** | **315** | **13** | **12** | **2** | **248** | **3** | **171** | **-** | **11** | **4** | 1 |
| 91 | 215 | 81 | 12 | - | - | 144 | 1 | 159 | - | 1 | 4 | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | 2 | - | - | - | 4 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | 43 | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | 1 | - | - | - | - |
| - | - | - | - | - | - | 4 | - | 11 | - | - | - | - |
| - | - | - | - | - | - | 21 | - | 3 | - | - | - | - |
| 2 | 1 | - | 1 | - | - | 2 | - | 1 | - | - | 1 | 1 |
| 1 | 1 | - | - | - | - | - | - | - | - | - | - | - |
| 1 | 1 | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| 1 | - | - | 1 | - | - | 2 | - | 1 | - | - | 1 | 1 |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| 1 | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 2 | - | 1 | - | - | 1 | 1 |
| - | - | - | 1 | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |

Description:This table only contains the defendants declared as improform, groundless or ruled by the Supreme Court.

# 14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續一)

中華民國 104 年　　單位：人

| 罪名別 Crime type | 合計 Total | 科刑 | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | 計 Subtotal | 死刑 Death sentence | 無期徒刑 Life sentence | 有期徒刑 | | | | |
| | | | | | 小計 Subtotal | 一年以下 1 or less than 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years |
| 偽造貨幣罪 Offenses of counterfeiting currency | 1 | 1 | - | - | 1 | - | - | - | 1 |
| 偽造有價證券罪 Offenses of counterfeiting valuable securities | 129 | 119 | - | - | 119 | 9 | 49 | 5 | 54 |
| 偽造度量衡罪 Offenses of falseifying weights and measures | - | - | - | - | - | - | - | - | - |
| 偽造文書印文罪 Offenses of forging instruments or seals | 377 | 289 | - | - | 289 | 175 | 90 | 17 | 7 |
| 偽造變造私文書 Forgery or alteration of private documents | 250 | 167 | - | - | 167 | 138 | 18 | 7 | 4 |
| 偽造變造公文書 Forgery or alteration of public documents | 91 | 91 | - | - | 91 | 12 | 67 | 9 | 3 |
| 偽造變造特種文書 Forgery or alteration of special documents | 1 | 1 | - | - | 1 | 1 | - | - | - |
| 公文書不實登載 False entry in public documents | 13 | 11 | - | - | 11 | 6 | 4 | 1 | - |
| 使公務員登載不實 Causing a functionary to make false entries in public documents | 7 | 7 | - | - | 7 | 7 | - | - | - |
| 業務上文書登載不實 False entry in occupational documents | 14 | 11 | - | - | 11 | 11 | - | - | - |
| 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 | 1 | 1 | - | - | 1 | - | 1 | - | - |
| 妨害性自主罪 Offenses against sextual autonomy | 363 | 334 | - | - | 334 | 48 | 27 | 20 | 165 |
| 強制性交猥褻 Forced sexual intercourse or obscene act | 358 | 329 | - | - | 329 | 46 | 26 | 18 | 165 |
| 強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act | - | - | - | - | - | - | - | - | - |
| 其他 Other | 5 | 5 | - | - | 5 | 2 | 1 | 2 | - |
| 妨害風化罪 Offenses against sexual morality | 66 | 65 | - | - | 65 | 60 | 2 | - | 3 |
| 強姦 Rape | - | - | - | - | - | - | - | - | - |
| 強姦殺人 Rape homicide | - | - | - | - | - | - | - | - | - |
| 意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain | 66 | 65 | - | - | 65 | 60 | 2 | - | 3 |
| 製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text, book or article | - | - | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - |
| 妨害婚姻及家庭罪 Offenses against marriage and family | 1 | 1 | - | - | 1 | 1 | - | - | - |

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

2015 Unit: individual

| Type of sentence | | | | | 免刑 | 無罪 | 免訴 | 不受理 | 管轄錯誤 | 其他 | 緩刑 | 保安處分 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Time imprisonments | | | 拘役 | 罰金 | | | | | | | | |
| 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年 Over 10 years | Detention | Punitive fine | Penalty released | Acquitted | Not prosecu-table | Case declined | Mistake in Jurisdictio-n | Other | Suspensi-on of punishme-nt | Re-habilitative measures |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| 1 | 1 | - | - | - | - | 9 | - | - | - | 1 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 34 | 1 | 53 | - | - | 1 | - |
| - | - | - | - | - | - | 29 | 1 | 53 | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 2 | - | - | - | - | 1 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 3 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| 8 | 63 | 3 | - | - | - | 29 | - | - | - | - | - | - |
| 8 | 63 | 3 | - | - | - | 29 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |

# 14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續二)

中華民國 104 年　　單位：人

| 罪名別 Crime type | 合計 Total | 科刑 | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | 計 Subtotal | 死刑 Death sentence | 無期徒刑 Life sentence | 有期徒刑 | | | | |
| | | | | | 小計 Subtotal | 一年以下 1 or less than 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years |
| 褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses | 7 | 6 | - | - | 6 | 3 | 3 | - | - |
| 妨害農工商罪 Offenses against agriculture, industry & commerce | - | - | - | - | - | - | - | - | - |
| 賭博罪 Offenses of gambling | 4 | 3 | - | - | 3 | 3 | - | - | - |
| 單純賭博 Simple gambling | 1 | - | - | - | - | - | - | - | - |
| 供給賭博場所等賭博 Gamble of providing gambling places and the like | 3 | 3 | - | - | 3 | 3 | - | - | - |
| 殺人罪 Offenses of homicide | 243 | 212 | - | 26 | 186 | 34 | 11 | 10 | 11 |
| 殺人 Homicide | 182 | 166 | - | 26 | 140 | - | - | 9 | 11 |
| 既遂 Consummation | 91 | 87 | - | 26 | 61 | - | - | 1 | - |
| 普通殺人 General homicide | 88 | 84 | - | 24 | 60 | - | - | 1 | - |
| 殺害直系尊親屬 Homicide of lineal ascendants by blood | 3 | 3 | - | 2 | 1 | - | - | - | - |
| 未遂 Attempt | 91 | 79 | - | - | 79 | - | - | 8 | 11 |
| 普通殺人 General homicide | 90 | 78 | - | - | 78 | - | - | 8 | 11 |
| 殺害直系尊親屬 Homicide of lineal ascendants by blood | 1 | 1 | - | - | 1 | - | - | - | - |
| 過失致死 Manslaughter | 61 | 46 | - | - | 46 | 34 | 11 | 1 | - |
| 一般過失致人於死 General negligent killing | 2 | 2 | - | - | 2 | 1 | 1 | - | - |
| 醫療業務過失致人於死 Occupational negligent killing by a physician | 3 | - | - | - | - | - | - | - | - |
| 密醫過失致人於死 Negligent killing by an unlicensed physician | - | - | - | - | - | - | - | - | - |
| 交通業務過失致人於死 Occupational negligent killing by a driver | 31 | 27 | - | - | 27 | 19 | 7 | 1 | - |
| 交通一般過失致人於死 General negligent killing by a driver | 1 | 1 | - | - | 1 | 1 | - | - | - |
| 其他業務過失致人於死 Other occupational negligent killing | 24 | 16 | - | - | 16 | 13 | 3 | - | - |

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

2015 Unit: individual

| Type of sentence | | | | | 免刑 | 無罪 | 免訴 | 不受理 | 管轄錯誤 | 其他 | 緩刑 | 保安處分 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Time imprisonments | | | 拘役 | 罰金 | | | | | | | | |
| 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年 Over 10 years | Detention | Punitive fine | Penalty released | Acquitted | Not prosecu-table | Case declined | Mistake in Jurisdictio-n | Other | Suspensi-on of punishme-nt | Re-habilitative measures |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| 53 | 15 | 52 | - | - | - | 19 | - | 12 | - | - | 2 | - |
| 53 | 15 | 52 | - | - | - | 4 | - | 12 | - | - | - | - |
| 5 | 3 | 52 | - | - | - | 4 | - | - | - | - | - | - |
| 5 | 3 | 51 | - | - | - | 4 | - | - | - | - | - | - |
| - | - | 1 | - | - | - | - | - | - | - | - | - | - |
| 48 | 12 | - | - | - | - | - | - | 12 | - | - | - | - |
| 48 | 11 | - | - | - | - | - | - | 12 | - | - | - | - |
| - | 1 | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 15 | - | - | - | - | 2 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 3 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 4 | - | - | - | - | 2 | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 8 | - | - | - | - | - | - |

# 14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續三)

中華民國 104 年　　單位：人

| 罪名別 Crime type | 合計 Total | 科刑 | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | 計 Subtotal | 死刑 Death sentence | 無期徒刑 Life sentence | 有期徒刑 | | | | |
| | | | | | 小計 Subtotal | 一年以下 1 or less than 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years |
| 傷害罪 Offenses of causing bodily harm | 120 | 115 | - | - | 111 | 13 | 12 | 9 | 27 |
| 傷害直系尊親屬 Bodily harm of lineal ascendants by blood | 4 | 4 | - | - | 4 | 3 | - | - | 1 |
| 重傷害 Serious bodily harm | 15 | 14 | - | - | 14 | - | 3 | 4 | 2 |
| 傷害致死 Bodily harm resulting in death | 49 | 49 | - | - | 49 | - | - | - | 5 |
| 醫療業務過失傷害 Occupational negligent bodily harm by a physician | - | - | - | - | - | - | - | - | - |
| 密醫過失傷害 Negligent bodily harm by an unlicensed physician | - | - | - | - | - | - | - | - | - |
| 交通業務過失傷害 Occupational negligent bodily harm by a driver | 1 | 1 | - | - | 1 | 1 | - | - | - |
| 交通一般過失傷害 General negligent bodily harm by a driver | 1 | - | - | - | - | - | - | - | - |
| 其他業務過失傷害 Other occupational negligent bodily harm | - | - | - | - | - | - | - | - | - |
| 其他 Other | 50 | 47 | - | - | 43 | 9 | 9 | 5 | 19 |
| 墮胎罪 Offenses of abortion | - | - | - | - | - | - | - | - | - |
| 遺棄罪 Offenses of abandonment | 1 | 1 | - | - | 1 | - | 1 | - | - |
| 妨害自由罪 Offenses against personal liberty | 74 | 71 | - | - | 66 | 57 | 3 | 2 | 4 |
| 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 | - | - | - | - | - | - | - | - | - |
| 略誘罪 Abduction | - | - | - | - | - | - | - | - | - |
| 剝奪行動自由 Deprivation of freedom of movement | 66 | 63 | - | - | 59 | 50 | 3 | 2 | 4 |
| 強制罪 Coercion offense | 5 | 5 | - | - | 4 | 4 | - | - | - |
| 恐嚇危害安全 Obstruction of safety by threat | 2 | 2 | - | - | 2 | 2 | - | - | - |
| 侵入或滯留 Trespassing on, or lingering in, a property | - | - | - | - | - | - | - | - | - |
| 違法搜索 Illegal search | 1 | 1 | - | - | 1 | 1 | - | - | - |

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

2015 Unit: individual

| Type of sentence | | | | | 免刑 | 無罪 | 免訴 | 不受理 | 管轄錯誤 | 其他 | 緩刑 | 保安處分 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Time imprisonments | | | 拘役 | 罰金 | | | | | | | | |
| 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年 Over 10 years | Detention | Punitive fine | Penalty released | Acquitted | Not prosecu-table | Case declined | Mistake in Jurisdictio-n | Other | Suspensi-on of punishme-nt | Re-habilitative measures |
| 8 | 35 | 7 | 4 | - | - | 3 | - | 2 | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| 4 | 1 | - | - | - | - | 1 | - | - | - | - | - | - |
| 3 | 34 | 7 | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| 1 | - | - | 4 | - | - | 1 | - | 2 | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | 5 | - | - | 3 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | 4 | - | - | 3 | - | - | - | - | - | - |
| - | - | - | 1 | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |

# 14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續四)

中華民國 104 年　　單位：人

| 罪名別 Crime type | 合計 Total | 科刑 | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | 計 Subtotal | 死刑 Death sentence | 無期徒刑 Life sentence | 有期徒刑 | | | | |
| | | | | | 小計 Subtotal | 一年以下 1 or less than 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years |
| 妨害名譽及信用罪 Offenses against personal reputation & credits | 5 | 1 | - | - | - | - | - | - | - |
| 妨害秘密罪 Offenses relating to protection of secrets | 8 | 8 | - | - | 8 | 8 | - | - | - |
| 竊盜罪 Offenses of larceny | 13 | 13 | - | - | 13 | 12 | - | - | 1 |
| 普通竊盜竊占 Common theft and theft of movables or immovables | 6 | 6 | - | - | 6 | 6 | - | - | - |
| 加重竊盜 Severe theft | 6 | 6 | - | - | 6 | 6 | - | - | - |
| 常業竊盜 Occupational theft | 1 | 1 | - | - | 1 | - | - | - | 1 |
| 強盜罪 Offenses of robbery | 153 | 152 | - | 5 | 147 | - | - | 2 | 15 |
| 搶奪及海盜罪 Offenses of snatch of property and piracy | 20 | 19 | - | - | 19 | 8 | 8 | - | 3 |
| 侵占罪 Offenses of misappropriation | 48 | 16 | - | - | 16 | 9 | 5 | 1 | 1 |
| 普通侵占 Common embezzlement | 33 | 2 | - | - | 2 | 2 | - | - | - |
| 公務公益侵占 Official embezzlement | 3 | 3 | - | - | 3 | - | 3 | - | - |
| 業務侵占 Occupational embezzlement | 12 | 11 | - | - | 11 | 7 | 2 | 1 | 1 |
| 侵占遺失物 Embezzlement of lost articles | - | - | - | - | - | - | - | - | - |
| 詐欺罪 Offenses of fraud | 56 | 56 | - | - | 56 | 21 | 25 | 6 | 4 |
| 一般詐欺 Common fraud | 44 | 44 | - | - | 44 | 15 | 25 | 2 | 2 |
| 常業詐欺 Occupational fraud | 12 | 12 | - | - | 12 | 6 | - | 4 | 2 |
| 背信罪 Offenses of breach of trust | 5 | 2 | - | - | 2 | - | - | 2 | - |
| 重利罪 Offenses of usury | 4 | 2 | - | - | 2 | 2 | - | - | - |
| 恐嚇取財罪 Offenses of obtaining property by threats | 12 | 12 | - | - | 12 | 8 | 1 | 3 | - |
| 擄人勒贖罪 Offenses of kidnapping for ransom | 8 | 8 | - | - | 8 | - | - | - | 2 |
| 贓物罪 Offenses relating to illegally obtained property | 1 | 1 | - | - | 1 | 1 | - | - | - |
| 毀棄損壞罪 Offenses of destruction, abandonment, and damage of property | 10 | 7 | - | - | 6 | 6 | - | - | - |
| 妨害電腦使用罪 Offenses of impairment to use of computers | 4 | 4 | - | - | 4 | 3 | 1 | - | - |

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

2015 Unit: individual

| Type of sentence | | | | | 免刑 | 無罪 | 免訴 | 不受理 | 管轄錯誤 | 其他 | 緩刑 | 保安處分 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Time imprisonments | | | 拘役 | 罰金 | | | | | | | | |
| 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年 Over 10 years | Detention | Punitive fine | Penalty released | Acquitted | Not prosecu-table | Case declined | Mistake in Jurisdictio-n | Other | Suspensi-on of punishme-nt | Re-habilitative measures |
| - | - | - | 1 | - | - | 4 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| 19 | 96 | 15 | - | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | 31 | - | - | - | - |
| - | - | - | - | - | - | - | - | 31 | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | 2 | - | - | - | - |
| - | - | - | - | - | - | 2 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 4 | 2 | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | 1 | - | - | 3 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |

# 14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續五)

中華民國 104 年　　單位：人

| 罪名別 Crime type | 合計 Total | 科刑 | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | 計 Subtotal | 死刑 Death sentence | 無期徒刑 Life sentence | 有期徒刑 | | | | |
| | | | | | 小計 Subtotal | 一年以下 1 or less than 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years |
| **特別刑事法令計 Subtotal of special criminal law** | **2 962** | **2 832** | **-** | **4** | **2 815** | **732** | **338** | **264** | **611** |
| 貪污治罪條例 Punishment of corruption act | 246 | 196 | - | - | 196 | 16 | 30 | 20 | 30 |
| 懲治盜匪條例 Punishment of thiefs and bandits act | - | - | - | - | - | - | - | - | - |
| 妨害兵役治罪條例 Punishment of offenses against military service act | - | - | - | - | - | - | - | - | - |
| 違反電信法 Violation of the telecommunications act | - | - | - | - | - | - | - | - | - |
| 違反糧食管理法 Violation of the grain control law | - | - | - | - | - | - | - | - | - |
| 違反國家總動員法 Violation of the national general mobilization law | - | - | - | - | - | - | - | - | - |
| 懲治走私條例 Punishment of smuggling act | 7 | 7 | - | - | 7 | 4 | 2 | 1 | - |
| 違反森林法 Violation of the forestry law | 68 | 68 | - | - | 68 | 65 | 2 | - | 1 |
| 違反漁業法 Violation of the fishery law | 5 | 5 | - | - | 5 | 4 | 1 | - | - |
| 違反毒品危害防制條例 Violation of the narcotics endangerment prevention act | 1 773 | 1 752 | - | 4 | 1 748 | 419 | 137 | 187 | 325 |
| 製造運輸販賣 Manufacture, transport, or sale | 1 300 | 1 282 | - | 4 | 1 278 | 10 | 94 | 180 | 322 |
| 施用 Use | 399 | 397 | - | - | 397 | 370 | 27 | - | - |
| 其他 Other | 74 | 73 | - | - | 73 | 39 | 16 | 7 | 3 |
| 陸海空軍刑法 Criminal law of the armed forces | - | - | - | - | - | - | - | - | - |
| 違反水利法 Violation of the irrigation management law | - | - | - | - | - | - | - | - | - |
| 違反電業法 Violation of the electricity management law | 1 | 1 | - | - | 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 | 2 | - | - | 1 | 1 | - | - | - |
| 違反能源管理法 Violation of the energy management law | - | - | - | - | - | - | - | - | - |
| 違反動產擔保交易法 Violation of the personal property secured transactions act | - | - | - | - | - | - | - | - | - |
| 違反商業登記法 Violation of the commercial registration law | - | - | - | - | - | - | - | - | - |
| 違反勞動基準法 Violation of the labor standards law | - | - | - | - | - | - | - | - | - |
| 違反職業安全衛生法 Violation of the labor safety and health law | - | - | - | - | - | - | - | - | - |

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

2015 Unit: individual

| Type of sentence | | | | | 免刑 | 無罪 | 免訴 | 不受理 | 管轄錯誤 | 其他 | 緩刑 | 保安處分 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Time imprisonments | | | 拘役 | 罰金 | | | | | | | | |
| 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年 Over 10 years | Detention | Punitive fine | Penalty released | Acquitted | Not prosecu-table | Case declined | Mistake in Jurisdictio-n | Other | Suspensi-on of punishme-nt | Re-habilitative measures |
| **210** | **426** | **234** | **1** | **12** | **2** | **104** | **2** | **12** | **-** | **10** | **-** | - |
| 40 | 42 | 18 | - | - | 2 | 43 | - | 5 | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| 116 | 355 | 209 | - | - | - | 19 | 1 | - | - | 1 | - | - |
| 112 | 351 | 209 | - | - | - | 17 | - | - | - | 1 | - | - |
| - | - | - | - | - | - | 2 | - | - | - | - | - | - |
| 4 | 4 | - | - | - | - | - | 1 | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | 1 | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |

# 14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續六)

中華民國 104 年　　單位：人

| 罪名別 Crime type | 合計 Total | 科刑 | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | 計 Subtotal | 死刑 Death sentence | 無期徒刑 Life sentence | 有期徒刑 | | | | |
| | | | | | 小計 Subtotal | 一年以下 1 or less than 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years |
| 違反各種稅法 Violation of various taxation laws | 2 | 2 | - | - | 2 | 2 | - | - | - |
| 違反臺灣省菸酒專賣條例 Violation of the taiwan provincial tobacco and alcohol monopoly act | - | - | - | - | - | - | - | - | - |
| 妨害國幣懲治條例 Violation of the punishment for impairment of state currency act | 2 | 2 | - | - | 2 | - | - | 1 | - |
| 違反醫師法 Violation of the physicians law | 13 | 12 | - | - | 12 | 7 | 5 | - | - |
| 違反藥事法 Violation of the pharmaceutical affairs act | 48 | 44 | - | - | 44 | 41 | 3 | - | - |
| 偽藥 Counterfeit medicine | 48 | 44 | - | - | 44 | 41 | 3 | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - |
| 違反麻醉藥品管理條例 Violation of the anaesthetics control act | 1 | 1 | - | - | 1 | - | - | - | - |
| 違反著作權法 Violation of the copyright law | 26 | 9 | - | - | 7 | 7 | - | - | - |
| 違法重製罪 Offence of unlawful reproduction | 24 | 8 | - | - | 6 | 6 | - | - | - |
| 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 | 1 | 1 | - | - | 1 | 1 | - | - | - |
| 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 | - | - | - | - | - | - | - | - | - |
| 侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright | - | - | - | - | - | - | - | - | - |
| 違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection | - | - | - | - | - | - | - | - | - |
| 違法利用他人著作罪 Offense of unlawful use of another person's work of authorship | - | - | - | - | - | - | - | - | - |
| 虛偽記載登記罪 Offense of false entry or registration | - | - | - | - | - | - | - | - | - |
| 其他 Other | - | - | - | - | - | - | - | - | - |
| 違反建築法 Violation of the building law | - | - | - | - | - | - | - | - | - |
| 違反公平交易法 Violation of the fair trade act | - | - | - | - | - | - | - | - | - |
| 違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law | 1 | 1 | - | - | 1 | - | 1 | - | - |
| 違反野生動物保育法 Violation of the wildlife conservation law | 8 | 4 | - | - | 4 | 4 | - | - | - |
| 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 | 30 | 30 | - | - | 30 | 11 | 8 | 1 | 10 |

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

2015 Unit: individual

| Type of sentence | | | | | 免刑 | 無罪 | 免訴 | 不受理 | 管轄錯誤 | 其他 | 緩刑 | 保安處分 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Time imprisonments | | | 拘役 | 罰金 | | | | | | | | |
| 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年 Over 10 years | Detention | Punitive fine | Penalty released | Acquitted | Not prosecu-table | Case declined | Mistake in Jurisdictio-n | Other | Suspensi-on of punishme-nt | Re-habilitative measures |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| 1 | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | - | 4 | - | - | - | - | - | - |
| - | - | - | - | - | - | 4 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | 1 | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | 2 | - | 10 | - | 4 | - | 3 | - | - |
| - | - | - | - | 2 | - | 9 | - | 4 | - | 3 | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 1 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 4 | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |

# 14.最高法院刑事上訴案件被告裁判結果－按罪名別分(續七完)

中華民國 104 年　　單位：人

| 罪名別 Crime type | 合計 Total | 科刑 | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | 計 Subtotal | 死刑 Death sentence | 無期徒刑 Life sentence | 有期徒刑 | | | | |
| | | | | | 小計 Subtotal | 一年以下 1 or less than 1 year | 逾一年至二年以下 Over 1 year to 2 years | 逾二年至三年以下 Over 2 years to 3 years | 逾三年至五年以下 Over 3 years to 5 years |
| 違反公司法 Violation of the company law | 14 | 14 | - | - | 14 | 14 | - | - | - |
| 違反食品安全衛生管理法 Violation of the food sanitation control law | 2 | 2 | - | - | 2 | 2 | - | - | - |
| 違反專利法 Violation of the patent law | - | - | - | - | - | - | - | - | - |
| 偽造專利品罪 Offense of forgery of patented articles | - | - | - | - | - | - | - | - | - |
| 竊用專利方法罪 Offense of wrongful use a patented process | - | - | - | - | - | - | - | - | - |
| 販賣陳列輸入偽造之專利品罪 Sale, display or importation of forged patented articles | - | - | - | - | - | - | - | - | - |
| 虛偽標示罪 Offense of false marking | - | - | - | - | - | - | - | - | - |
| 違反商標法 Violation of the trademark law | - | - | - | - | - | - | - | - | - |
| 侵害他人商標罪 Offense of trademark infringement | - | - | - | - | - | - | - | - | - |
| 販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark | - | - | - | - | - | - | - | - | - |
| 惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words | - | - | - | - | - | - | - | - | - |
| 違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act | 269 | 262 | - | - | 262 | 12 | 40 | 17 | 147 |
| 國家安全法 National security law | - | - | - | - | - | - | - | - | - |
| 集會遊行法 Mass gathering and demonstration act | - | - | - | - | - | - | - | - | - |
| 違反銀行法 Violation of the banking law | 123 | 121 | - | - | 121 | 11 | 38 | 17 | 27 |
| 違反選舉罷免法 Violation of the election and recall law | 31 | 30 | - | - | 30 | 3 | 13 | 3 | 11 |
| 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 | 58 | 58 | - | - | 58 | 8 | 7 | 3 | 35 |
| 違反兒童及少年福利法 Violation of the children's and juvenile's welfare law | - | - | - | - | - | - | - | - | - |
| 違反洗錢防制法 Violation of the Money Laundering Control Act | 2 | 1 | - | - | 1 | - | - | 1 | - |
| 其他 Other | 230 | 208 | - | - | 198 | 100 | 51 | 13 | 25 |

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

2015 Unit: individual

| Type of sentence | | | | | 免刑 | 無罪 | 免訴 | 不受理 | 管轄錯誤 | 其他 | 緩刑 | 保安處分 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Time imprisonments | | | 拘役 | 罰金 | | | | | | | | |
| 逾五年至七年以下 Over 5 years to 7 years | 逾七年至十年以下 Over 7 years to 10 years | 逾十年 Over 10 years | Detention | Punitive fine | Penalty released | Acquitted | Not prosecu-table | Case declined | Mistake in Jurisdictio-n | Other | Suspensi-on of punishme-nt | Re-habilitative measures |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - | - | - | - | - | - |
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| 38 | 8 | - | - | - | - | 3 | 1 | 1 | - | 2 | - | - |
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| 9 | 15 | 4 | - | - | - | - | - | 1 | - | 1 | - | - |
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| 2 | - | 3 | - | - | - | - | - | - | - | - | - | - |
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| - | - | - | - | - | - | 1 | - | - | - | - | - | - |
| 4 | 5 | - | 1 | 9 | - | 18 | - | 1 | - | 3 | - | - |