19.高等法院暨分院辦理第二審重大刑事案件裁判結果－按罪名別分

中華民國 97 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	撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprison-ment	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty
合計 Total	458	930	184	227	440
普通刑法 General criminal law	167	252	37	111	88
強制性交猥褻而故意殺被害人(226-1) Murder in addition to rape or forced obscene act (226-1)	10	11	2	5	4
強制性交猥褻而致被害人於死(226.1) Rape or forced obscene act resulting in death of the victim (226.1)	-	-	-	-	-
殺人既遂(271.1) Accomplished homicide (271.1)	103	151	24	69	53
殺害直系血親尊親屬(272.1) Murder of one's lineal blood ascendant (272.1)	5	5	1	2	2
強盜結合罪(332) Offenses combined with robbery (332)	33	48	7	19	14
擄人勒贖既遂罪(347.1) Offense of kidnapping for ransom	4	14	-	6	6
擄人勒贖既遂而致人於死或重傷(347.2) Offense of kidnapping for ransom resulting in death or serious bodily harm (347.2)	2	3	-	-	2
擄人勒贖結合罪(348) Offenses combined with kidnapping for ransom (348)	10	20	3	10	7
特別刑法 Special criminal law	291	678	147	116	352
懲治盜匪條例 Punishment of thieves and bandits act	-	-	-	-	-
違反毒品危害防制條例 Narcotic abuse law	202	318	35	81	175
製造運輸販賣第一級毒品既遂(4.1) Accomplished manufacture, transport, or sale of first grade narcotics (4.1)	198	311	35	79	172
製造運輸販賣第二級毒品既遂(4.2) Accomplished manufacture, transport, or sale of second grade narcotics (4.2)	2	5	-	1	2
意圖販賣而持有第一級毒品(5.1) Possession, with intent to sell, of first grade narcotics (5.1)	2	2	-	1	1
強暴脅迫使人施用第一級毒品既遂(6.1) Accomplished offense of causing another to use first grade narcotics by violence or threat (6.1)	-	-	-	-	-
強暴脅迫使人施用第二級毒品既遂(6.2) Accomplished offense of causing another to use second grade narcotics by violence or threat (6.2)	-	-	-	-	-
意圖供製造毒品之用而栽種罌粟古柯(12.1) Cultivation, with intent for manufacture of narcotics, of poppy and coca (12.1)	-	-	-	-	-

19. Results of Judgments and Rulings of Major Criminal Cases Handled in the Second Instance by the High Courts and Their Branches – by Crime Type

2008

Unit: case; individual

Defendants					從刑 Accessory penalties			
撤銷改判加重 Revocation of previous judgment by new judgment but with	撤回 Withdrawn	免訴 Not prosecutable	不受理 Case declined	其他 Other	褫奪公權人數 Number of persons deprived of civil rights	沒收件數 Number of confisc- ation cases	沒收並追徵、追繳或抵償件數 Number of confiscation and payment	追徵、追繳或抵償件數 Number of payment
41	20	2	3	13	359	223	116	2
14	-	-	-	2	207	112	-	-
-	-	-	-	-	11	4	-	-
-	-	-	-	-	-	-	-	-
4	-	-	-	1	131	68	-	-
-	-	-	-	-	5	-	-	-
8	-	-	-	-	38	25	-	-
2	-	-	-	-	6	4	-	-
-	-	-	-	1	2	2	-	-
-	-	-	-	-	14	9	-	-
27	20	2	3	11	152	111	116	2
-	-	-	-	-	-	-	-	-
14	10	-	-	3	139	83	114	-
14	8	-	-	3	138	81	114	-
-	2	-	-	-	-	1	-	-
-	-	-	-	-	1	1	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-

19.高等法院暨分院辦理第二審重大刑事案件裁判結果－按罪名別分(續完)

中華民國 97 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 Appeal dismissed	撤銷改判維持原刑期 Revocation of original judgment by new judgment but with same period of imprison-ment	撤銷改判減免或無罪 Revocation of original judgment by new judgment but with reduced penalty or not guilty
違反槍砲彈藥刀械管制條例 Violation to the gun, artillery and weaponry control act	5	5	-	2	2
未經許可製造販賣或運輸槍砲彈藥既遂(7.1) Accomplished manufacture, sale, or transport of guns or explosives without permission (7.1)	5	5	-	2	2
未經許可轉讓出租或出借槍砲彈藥既遂(7.2) Accomplished transfer, lease, or lending of guns or explosives without permission (7.2)	-	-	-	-	-
意圖供犯罪之用而製造販賣運輸轉讓出租出借槍砲彈藥既遂(7.3) Accomplished manufacture, sale, transport, transfer, lease, or lending, with intent for use in commission of crime, guns or explosives without permission (7.3)	-	-	-	-	-
意圖供犯罪之用而製造販賣運輸轉讓出租出借鋼筆槍..等槍械(8.3) Manufacture, sale, transport, transfer, lease, or lending, with intent for use in commission of crime, firearms such as a pistol fountain pen (8.3)	-	-	-	-	-
未經許可製造販賣或運輸具有殺傷力之改造模型槍既遂(10.1) Accomplished manufacture, sale, or transport of lethal model firearms without permission (10.1)	-	-	-	-	-
意圖供犯罪之用而擅自改造販賣運輸轉讓出租出借改造模型槍(10.3) Manufacture, sale, transport, transfer, lease, or lending, with intent for use in commission of crime, of lethal model firearms without permission (10.3)	-	-	-	-	-
意圖供犯罪之用而製造販賣運輸轉讓出租出借具殺傷力之各式槍砲(11.3) Manufacture, sale, transport, transfer, lease, or lending, with intent for use in commission of crime, other various guns or explosives without permission (11.3)	-	-	-	-	-
違反兒童及少年性交易防制條例(26) Violation of the child and youth sexual transaction prevention act (26)	-	-	-	-	-
違反組織犯罪條例重大案件 Major cases of violation of the Organized Crimes Act	-	-	-	-	-
非法介入公共工程重大案件 Major cases of illegal intervention in public projects	-	-	-	-	-
違法重大金融案件 Major illegal financial cases	74	300	99	29	145
貪污重大案件 Major corruption cases	3	28	10	1	12
賄選重大案件 Major cases of election by bribery	-	-	-	-	-
其他認為於社會治安有重大影響之案件 Other cases deemed to have major effect on social security	6	27	3	3	18
併案裁判 consolidated judgments	1	-	-	-	-

19. Results of Judgments and Rulings of Major Criminal Cases Handled in the Second Instance by the High Courts and Their Branches – by Crime Type (Cont.End)

2008 Unit: case; individual

Defendants					從刑 Accessory penalties			
撤銷改判加重 Revocation of original judgment by new judgment but with	撤回 Withdrawn	免訴 Not prosecutable	不受理 Case declined	其他 Other	褫奪公權人數 Number of persons deprived of civil rights	沒收件數 Number of confisc- ation cases	沒收並追徵、追繳或抵償件數 Number of confiscation and payment	追徵、追繳或抵償件數 Number of payment
1	-	-	-	-	4	5	-	-
1	-	-	-	-	4	5	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
11	4	2	2	8	1	20	1	-
-	4	-	1	-	7	-	-	2
-	-	-	-	-	-	-	-	-
1	2	-	-	-	1	3	1	-
-	-	-	-	-	-	-	-	-