14.最高法院刑事上訴確定案件裁判結果－按罪名別分

中華民國 94 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 or less than 2 years	逾二年至三年以下 Over 2 years or less than 3 years	逾三年至五年以下 Over 3 years or less than 5 years
合計 Total	**5 693**	**4 745**	**8**	**86**	**4 602**	**1 559**	**961**	**273**	**589**
普通刑法計 Subtotal of general criminal law	3 727	3 038	8	55	2 956	1 053	589	190	471
內亂罪 Offenses against the internal security of the state	-	-	-	-	-	-	-	-	-
外患罪 Offenses against the external security of the state	-	-	-	-	-	-	-	-	-
妨害國交罪 Offenses of interference with relations with other states	-	-	-	-	-	-	-	-	-
瀆職罪 Offenses of malfeasance in office	61	1	-	-	1	-	1	-	-
妨害公務罪 Offenses of interference with public functions	13	13	-	-	13	9	4	-	-
妨害投票罪 Offenses of interference with voting	96	88	-	-	88	88	-	-	-
妨害秩序罪 Offenses of interference with public order	-	-	-	-	-	-	-	-	-
脫逃罪 Offenses of escape	1	1	-	-	1	1	-	-	-
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	1	1	-	-	1	1	-	-	-
偽證罪 Offenses of perjury	22	10	-	-	10	9	1	-	-
誣告罪 Offenses of malicious accusation	157	65	-	-	64	58	5	-	-
公共危險罪 Offenses against public safety	152	144	-	-	143	104	17	4	15
放火 Arson	32	29	-	-	29	1	10	2	15
燒燬建築物及住宅 Destruction by fire of building and residence	24	22	-	-	22	-	4	2	15
燒燬其他物件 Destruction by fire of other objects	8	7	-	-	7	1	6	-	-
失火 Negligent fire	1	-	-	-	-	-	-	-	-
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	1	-	-	-	-	-	-	-	-
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	115	111	-	-	110	100	6	2	-
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	3	3	-	-	2	2	-	-	-
肇事致人死傷逃逸 Hit and run	101	98	-	-	98	90	6	2	-
其他 Other	11	10	-	-	10	8	-	-	-
危險物 Hazard materials	4	4	-	-	4	3	1	-	-
爆裂物 Explosives	4	4	-	-	4	3	1	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-

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

2005

Unit: individual

Type of sentence					免刑	無罪	免訴	不受理	管轄錯誤	緩刑	保安處分
Time imprisonments			拘役	罰金							
逾五年至七年以下 Over 5 years or less than 7 years	逾七年至十年以下 Over 7 years or less than 10 years	逾十年 Over 10 years	Detention	Punitive fine	Penalty released	Acquitted	Not prosecu-table	Case declined	Mistake in Jurisdiction	Suspension of punishment	Re-habilitative measures
414	**597**	**209**	**22**	**27**	**6**	**707**	**11**	**224**	**-**	**21**	**1**
196	350	107	14	5	1	505	9	174	-	20	1
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	4	-	56	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	8	-	-	-	12	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	10	-	2	-	-	-
-	1	-	-	1	1	71	1	19	-	-	-
1	2	-	-	1	-	5	1	2	-	-	-
1	-	-	-	-	-	1	-	2	-	-	-
1	-	-	-	-	-	-	-	2	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	-	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	2	-	-	1	-	4	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	1	-	-	-	-	-	-	-
-	-	-	-	-	-	3	-	-	-	-	-
-	2	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果－按罪名別分(續一)

中華民國 94 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 or less than 2 years	逾二年至三年以下 Over 2 years or less than 3 years	逾三年至五年以下 Over 3 years or less than 5 years
偽造貨幣罪 Offenses of counterfeiting currency	51	50	-	-	49	-	10	1	37
偽造有價證券罪 Offenses of counterfeiting valuable securities	187	155	-	-	155	7	46	13	87
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	657	446	-	-	445	290	108	28	17
偽造變造私文書 Forgery or alteration of private documents	508	370	-	-	370	259	72	24	14
偽造變造公文書 Forgery or alteration of public documents	62	39	-	-	39	5	29	2	2
偽造變造特種文書 Forgery or alteration of special documents	6	4	-	-	4	3	-	1	-
公文書不實登載 False entry in public documents	30	10	-	-	10	2	6	1	1
使公務員登載不實 Causing a functionary to make false entries in public documents	20	7	-	-	7	7	-	-	-
業務上文書登載不實 False entry in occupational documents	22	13	-	-	12	12	-	-	-
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	7	1	-	-	1	1	-	-	-
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	2	2	-	-	2	1	1	-	-
妨害性自主罪 Offenses against sextual autonomy	330	297	1	5	291	51	38	15	115
強制性交猥褻 Forced sexual intercourse or obscene act	324	291	-	1	290	50	38	15	115
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	5	5	1	4	-	-	-	-	-
其他 Other	1	1	-	-	1	1	-	-	-
妨害風化罪 Offenses against sexual morality	235	221	-	-	221	69	141	6	4
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	234	220	-	-	220	68	141	6	4
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	1	1	-	-	1	1	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	12	11	-	-	11	4	5	-	2

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

2005 Unit: individual

Type of sentence					免刑	無罪	免訴	不受理	管轄錯誤	緩刑	保安處分
Time imprisonments			拘役	罰金							
逾五年至七年以下 Over 5 years or less than 7 years	逾七年至十年以下 Over 7 years or less than 10 years	逾十年 Over 10 years	Detention	Punitive fine	Penalty released	Acquitted	Not prosecu-table	Case declined	Mistake in Jurisdiction	Suspension of punishment	Re-habilitative measures
1	-	-	-	1	-	1	-	-	-	-	-
1	1	-	-	-	-	28	-	4	-	1	-
-	-	-	-	-	-	-	-	-	-	-	-
2	-	-	1	-	-	166	5	40	-	1	-
1	-	-	-	-	-	120	1	17	-	-	-
1	-	-	-	-	-	12	4	7	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-
-	-	-	-	-	-	18	-	2	-	-	-
-	-	-	-	-	-	6	-	7	-	-	-
-	-	-	1	-	-	2	-	7	-	1	-
-	-	-	-	-	-	6	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
16	48	8	-	-	-	26	1	6	-	-	-
16	48	8	-	-	-	26	1	6	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	12	-	2	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	12	-	2	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果－按罪名別分(續二)

中華民國 94 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 or less than 2 years	逾二年至三年以下 Over 2 years or less than 3 years	逾三年至五年以下 Over 3 years or less than 5 years
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	3	3	-	-	3	3	-	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	2	2	-	-	1	1	-	-	-
單純賭博 Simple gambling	1	1	-	-	-	-	-	-	-
供給賭博場所等賭博 Gamble of providing gambling places and the like	1	1	-	-	1	1	-	-	-
殺人罪 Offenses of homicide	373	311	4	28	275	65	17	20	20
殺人 Homicide	243	224	4	28	192	1	2	17	19
既遂 Consummation	112	102	4	28	70	1	-	-	2
普通殺人 General homicide	111	101	4	27	70	1	-	-	2
殺害直系尊親屬 Homicide of lineal ascendants by blood	1	1	-	1	-	-	-	-	-
未遂 Attempt	131	122	-	-	122	-	2	17	17
普通殺人 General homicide	131	122	-	-	122	-	2	17	17
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-
過失致死 Manslaughter	130	87	-	-	83	64	15	3	1
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	25	3	-	-	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	72	62	-	-	62	46	13	3	-
交通一般過失致人於死 General negligent killing by a driver	7	7	-	-	7	6	1	-	-
其他業務過失致人於死 Other occupational negligent killing	25	14	-	-	12	10	1	-	1

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

2005 Unit: individual

Type of sentence					免刑	無罪	免訴	不受理	管轄錯誤	緩刑	保安處分
Time imprisonments			拘役	罰金							
逾五年至七年以下 Over 5 years or less than 7 years	逾七年至十年以下 Over 7 years or less than 10 years	逾十年 Over 10 years	Detention	Punitive fine	Penalty released	Acquitted	Not prosecu-table	Case declined	Mistake in Jurisdiction	Suspension of punishment	Re-habilitative measures
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	1	-	-	-	-	-	-	-
-	-	-	-	1	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
66	36	51	4	-	-	58	-	4	-	6	1
66	36	51	-	-	-	15	-	4	-	1	1
5	14	48	-	-	-	9	-	1	-	-	-
5	14	48	-	-	-	9	-	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
61	22	3	-	-	-	6	-	3	-	1	1
61	22	3	-	-	-	6	-	3	-	1	1
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	4	-	-	43	-	-	-	5	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	2	-	-	22	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	10	-	-	-	5	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	2	-	-	11	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果－按罪名別分(續三)

中華民國 94 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 or less than 2 years	逾二年至三年以下 Over 2 years or less than 3 years	逾三年至五年以下 Over 3 years or less than 5 years
傷害罪 Offenses of causing bodily harm	181	163	-	-	161	25	15	19	48
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	-	-	-	-	-	-	-	-	-
重傷害 Serious bodily harm	29	25	-	-	25	-	2	12	3
傷害致死 Bodily harm resulting in death	75	71	-	-	71	-	2	-	25
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	-	-	-	-	-	-	-	-	-
交通一般過失傷害 General negligent bodily harm by a driver	1	1	-	-	-	-	-	-	-
其他業務過失傷害 Other occupational negligent bodily harm	-	-	-	-	-	-	-	-	-
其他 Other	76	66	-	-	65	25	11	7	20
墮胎罪 Offenses of abortion	1	1	-	-	1	1	-	-	-
遺棄罪 Offenses of abandonment	9	6	-	-	6	4	-	-	1
妨害自由罪 Offenses against personal liberty	164	155	-	-	153	114	26	8	2
使人爲奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	2	2	-	-	2	-	2	-	-
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	146	139	-	-	137	101	23	8	2
強制罪 Coercion offense	5	4	-	-	4	4	-	-	-
恐嚇危害安全 Obstruction of safety by threat	11	10	-	-	10	9	1	-	-
侵入或滯留 Trespassing on, or lingering in, a property	-	-	-	-	-	-	-	-	-
違法搜索 Illegal search	-	-	-	-	-	-	-	-	-

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

2005 Unit: individual

Type of sentence					免刑	無罪	免訴	不受理	管轄錯誤	緩刑	保安處分
Time imprisonments			拘役	罰金							
逾五年至七年以下 Over 5 years or less than 7 years	逾七年至十年以下 Over 7 years or less than 10 years	逾十年 Over 10 years	Detention	Punitive fine	Penalty released	Acquitted	Not prosecu-table	Case declined	Mistake in Jurisdiction	Suspension of punishment	Re-habilitative measures
9	32	13	2	-	-	12	-	6	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
2	5	1	-	-	-	4	-	-	-	-	-
5	27	12	-	-	-	3	-	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	1	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
2	-	-	1	-	-	5	-	5	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	-	2	-	1	-	-	-
-	3	-	2	-	-	8	-	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	3	-	2	-	-	6	-	1	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果－按罪名別分(續四)

中華民國 94 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 or less than 2 years	逾二年至三年以下 Over 2 years or less than 3 years	逾三年至五年以下 Over 3 years or less than 5 years
妨害名譽及信用罪 Offenses against personal reputation & credits	6	1	-	-	-	-	-	-	-
妨害秘密罪 Offenses relating to protection of secrets	1	-	-	-	-	-	-	-	-
竊盜罪 Offenses of larceny	79	75	-	-	74	14	26	14	14
普通竊盜竊占 Common theft and theft of movables or immovables	10	6	-	-	5	4	1	-	-
加重竊盜 Severe theft	22	22	-	-	22	10	7	2	3
常業竊盜 Occupational theft	47	47	-	-	47	-	18	12	11
強盜罪 Offenses of robbery	418	408	2	18	388	-	4	15	59
搶奪及海盜罪 Offenses of snatch of property and piracy	57	55	-	-	55	18	17	4	10
侵占罪 Offenses of misappropriation	71	52	-	-	51	23	19	5	4
普通侵占 Common embezzlement	14	7	-	-	7	5	1	1	-
公務公益侵占 Official embezzlement	-	-	-	-	-	-	-	-	-
業務侵占 Occupational embezzlement	56	44	-	-	44	18	18	4	4
侵占遺失物 Embezzlement of lost articles	1	1	-	-	-	-	-	-	-
詐欺罪 Offenses of fraud	222	162	-	-	162	36	60	33	26
一般詐欺 Common fraud	62	20	-	-	20	15	3	2	-
常業詐欺 Occupational fraud	160	142	-	-	142	21	57	31	26
背信罪 Offenses of breach of trust	13	4	-	-	4	3	1	-	-
重利罪 Offenses of usury	41	35	-	-	35	24	8	1	2
恐嚇取財罪 Offenses of obtaining property by threats	36	36	-	-	36	18	12	3	3
擄人勒贖罪 Offenses of kidnapping for ransom	42	40	1	4	35	-	-	-	4
贓物罪 Offenses relating to illegally obtained property	13	13	-	-	12	6	5	-	1
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	20	13	-	-	11	7	3	1	-
妨害電腦使用罪 Offenses of impairment to use of computers	-	-	-	-	-	-	-	-	-

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

2005 Unit: individual

Type of sentence					免刑	無罪	免訴	不受理	管轄錯誤	緩刑	保安處分
Time imprisonments			拘役	罰金							
逾五年至七年以下 Over 5 years or less than 7 years	逾七年至十年以下 Over 7 years or less than 10 years	逾十年 Over 10 years	Detention	Punitive fine	Penalty released	Acquitted	Not prosecu-table	Case declined	Mistake in Jurisdiction	Suspension of punishment	Re-habilitative measures
-	-	-	1	-	-	4	-	1	-	-	-
-	-	-	-	-	-	-	-	1	-	-	-
5	1	-	1	-	-	2	-	2	-	-	-
-	-	-	1	-	-	2	-	2	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
5	1	-	-	-	-	-	-	-	-	-	-
76	205	29	-	-	-	7	1	2	-	-	-
6	-	-	-	-	-	2	-	-	-	-	-
-	-	-	-	1	-	18	-	1	-	-	-
-	-	-	-	-	-	7	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	11	-	1	-	-	-
-	-	-	-	1	-	-	-	-	-	-	-
7	-	-	-	-	-	41	-	19	-	-	-
-	-	-	-	-	-	31	-	11	-	-	-
7	-	-	-	-	-	10	-	8	-	-	-
-	-	-	-	-	-	9	-	-	-	-	-
-	-	-	-	-	-	5	-	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
5	20	6	-	-	-	2	-	-	-	-	-
-	-	-	1	-	-	-	-	-	-	-	-
-	-	-	2	-	-	3	-	4	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果－按罪名別分(續五)

中華民國 94 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 or less than 2 years	逾二年至三年以下 Over 2 years or less than 3 years	逾三年至五年以下 Over 3 years or less than 5 years
特別刑事法令計 Sub-total of special criminal law	**1 966**	**1 707**	**-**	**31**	**1 646**	**506**	**372**	**83**	**118**
貪污治罪條例 Punishment of corruption act	178	83	-	-	83	5	19	11	9
懲治盜匪條例 Punishment of thiefs and bandits act	10	-	-	-	-	-	-	-	-
妨害兵役治罪條例 Punishment of offenses against military service act	2	2	-	-	2	2	-	-	-
違反電信法 Violation of the telecommunications act	3	3	-	-	3	1	2	-	-
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	23	17	-	-	17	13	4	-	-
違反森林法 Violation of the forestry law	15	12	-	-	12	7	3	2	-
違反漁業法 Violation of the fishery law	2	2	-	-	2	2	-	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	790	765	-	31	734	223	82	15	51
製造運輸販賣 Manufacture, transport, or sale	472	452	-	31	421	-	2	10	51
施用 Use	259	258	-	-	258	202	56	-	-
其他 Other	59	55	-	-	55	21	24	5	-
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	5	4	-	-	4	3	1	-	-
違反電業法 Violation of the electricity management law	3	3	-	-	2	2	-	-	-
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	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-

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

2005 Unit: individual

Type of sentence					免刑	無罪	免訴	不受理	管轄錯誤	緩刑	保安處分
Time imprisonments			拘役	罰金							
逾五年至七年以下 Over 5 years or less than 7 years	逾七年至十年以下 Over 7 years or less than 10 years	逾十年 Over 10 years	Detention	Punitive fine	Penalty released	Acquitted	Not prosecu-table	Case declined	Mistake in Jurisdiction	Suspension of punishment	Re-habilitative measures
218	**247**	**102**	**8**	**22**	**5**	**202**	**2**	**50**	**-**	**1**	**-**
18	11	10	-	-	5	82	-	8	-	-	-
-	-	-	-	-	-	10	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	6	-	-	-	-	-
-	-	-	-	-	-	2	-	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
55	217	91	-	-	-	20	-	5	-	-	-
51	216	91	-	-	-	18	-	2	-	-	-
-	-	-	-	-	-	-	-	1	-	-	-
4	1	-	-	-	-	2	-	2	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	1	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果－按罪名別分(續六)

中華民國 94 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 or less than 2 years	逾二年至三年以下 Over 2 years or less than 3 years	逾三年至五年以下 Over 3 years or less than 5 years
違反各種稅法 Violation of various taxation laws	20	16	-	-	14	13	1	-	-
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	24	23	-	-	23	-	3	4	-
違反醫師法 Violation of the physicians law	4	4	-	-	4	3	1	-	-
違反藥事法 Violation of the pharmaceutical affairs act	14	11	-	-	11	8	2	1	-
偽藥 Counterfeit medicine	14	11	-	-	11	8	2	1	-
其他 Other	-	-	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	27	20	-	-	20	1	-	4	3
違反著作權法 Violation of the copyright law	83	50	-	-	43	8	34	1	-
違法重製罪 Offence of unlawful reproduction	20	10	-	-	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	11	2	-	-	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	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	3	-	-	-	-	-	-	-	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	47	38	-	-	36	2	33	1	-
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	22	17	-	-	16	13	3	-	-
違反野生動物保育法 Violation of the wildlife conservation law	4	3	-	-	3	3	-	-	-
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	37	35	-	-	35	25	9	1	-

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

2005 Unit: individual

Type of sentence					免刑	無罪	免訴	不受理	管轄錯誤	緩刑	保安處分
Time imprisonments			拘役	罰金							
逾五年至七年以下 Over 5 years or less than 7 years	逾七年至十年以下 Over 7 years or less than 10 years	逾十年 Over 10 years	Detention	Punitive fine	Penalty released	Acquitted	Not prosecu-table	Case declined	Mistake in Jurisdiction	Suspension of punishment	Re-habilitative measures
-	-	-	-	2	-	4	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
14	2	-	-	-	-	-	-	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	3	-	-	-	-	-
-	-	-	-	-	-	3	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
9	3	-	-	-	-	6	-	1	-	-	-
-	-	-	2	5	-	17	1	15	-	-	-
-	-	-	2	2	-	9	-	1	-	-	-
-	-	-	-	1	-	2	1	6	-	-	-
-	-	-	-	-	-	-	-	2	-	-	-
-	-	-	-	-	-	-	-	3	-	-	-
-	-	-	-	2	-	6	-	3	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	1	-	4	-	1	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	2	-	-	-	-	-

14.最高法院刑事上訴確定案件裁判結果－按罪名別分(續七完)

中華民國 94 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 or less than 2 years	逾二年至三年以下 Over 2 years or less than 3 years	逾三年至五年以下 Over 3 years or less than 5 years
違反公司法 Violation of the company law	17	10	-	-	5	4	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	-	-	-	-	-	-	-	-	-
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	331	328	-	-	328	34	129	32	25
國家安全法 National security law	1	1	-	-	1	-	1	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-
違反銀行法 Violation of the banking law	7	6	-	-	6	-	5	-	-
違反選舉罷免法 Violation of the election and recall law	81	41	-	-	41	35	5	1	-
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	79	79	-	-	79	8	15	5	26
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-
其他 Other	184	172	-	-	158	93	52	6	4

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

2005 Unit: individual

Type of sentence					免刑	無罪	免訴	不受理	管轄錯誤	緩刑	保安處分
Time imprisonments			拘役	罰金							
逾五年至七年以下 Over 5 years or less than 7 years	逾七年至十年以下 Over 7 years or less than 10 years	逾十年 Over 10 years	Detention	Punitive fine	Penalty released	Acquitted	Not prosecu-table	Case declined	Mistake in Jurisdiction	Suspension of punishment	Re-habilitative measures
-	-	-	5	-	-	1	-	6	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
95	12	1	-	-	-	2	-	1	-	1	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	-	1	-	-	-	-	-
-	-	-	-	-	-	36	-	4	-	-	-
25	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
2	1	-	1	13	-	4	1	7	-	-	-